



FEDERAL REGISTER

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1934

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Washington, Tuesday, July 30, 1946

The President

EXECUTIVE ORDER 9763
CREATING AN EMERGENCY BOARD TO INVESTIGATE A DISPUTE BETWEEN THE PULLMAN COMPANY AND CERTAIN OF ITS EMPLOYEES

WHEREAS a dispute exists between the Pullman Company, a carrier, and certain of its employees represented by the Order of Railway Conductors of America, a labor organization; and

WHEREAS this dispute has not heretofore been adjusted under the provisions of the Railway Labor Act, as amended; and

WHEREAS this dispute, in the judgment of the National Mediation Board, threatens substantially to interrupt interstate commerce within the several States of the Union, to a degree such as to deprive the country of essential transportation service;

NOW, THEREFORE, by virtue of the authority vested in me by section 10 of the Railway Labor Act, as amended (45 U.S.C. 160), I hereby create a board of three members, to be appointed by me, to investigate the said dispute. No member of the said board shall be pecuniarily or otherwise interested in any organization of railway employees or any carrier.

The board shall report its findings to the President with respect to the said dispute within thirty days from the date of this order.

As provided by section 10 of the Railway Labor Act, as amended, from this date and for thirty days after the board has made its report to the President, no change, except by agreement, shall be made by the Pullman Company or its employees in the conditions out of which the said dispute arose.

HARRY S. TRUMAN

THE WHITE HOUSE,
 July 27, 1946.

[F. R. Doc. 46-12863; Filed, July 29, 1946;
 10:50 a.m.]

Regulations

TITLE 7—AGRICULTURE

Chapter XI—Production and Marketing Administration (War Food Distribution Orders)

[WFO 42a, Suspension]

PART 1460—FATS AND OILS

USE OF FATS AND OILS IN PROTECTIVE COATINGS, COATED FABRICS, AND FLOOR COVERINGS

War Food Order No. 42a, as amended, (9 F.R. 12078, 14926, 10 F.R. 103, 943, 3315, 10346, 12251, 11 F.R. 2815), is hereby suspended until further order of the Secretary of Agriculture.

This suspension order shall become effective at 12:01 a. m., e. s. t., July 1, 1946. With respect to violations, rights accrued, liabilities incurred, or appeals taken, prior to said date, under the said war food order, as amended, all provisions of said order shall be deemed to remain in full force for the purpose of sustaining any proper suit, action, or other proceeding with respect to any such violation, right, liability, or appeal.

(E.O. 9280, 7 F.R. 10179; E.O. 9577, 10 F.R. 8087)

Issued this 29th day of July 1946.

[SEAL] CLINTON P. ANDERSON,
Secretary of Agriculture.

[F. R. Doc. 46-12879; Filed, July 29, 1946;
 11:12 a.m.]

TITLE 16—COMMERCIAL PRACTICES

Chapter I—Federal Trade Commission

[File No. 21-394]

PART 168—WHOLESALE CONFECTIONERY INDUSTRY (PHILADELPHIA TRADE AREA)

PROMULGATION OF TRADE PRACTICE RULES

At a regular session of the Federal Trade Commission held at its office in the City of Washington, D. C., on the 29th day of July A. D. 1946.

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Due proceedings having been held under the trade practice conference procedure in pursuance of the act of Congress approved September 26, 1914, as amended (Federal Trade Commission Act), and other provisions of law administered by the Commission;

It is now ordered, That the trade practice rules of Group I and Group II, as hereinafter set forth, which have been approved and received, respectively, by the Commission in this proceeding, be promulgated as of July 30, 1946.

Trade practice rules for the Wholesale Confectionery Industry of the Philadelphia trade area, as hereinafter set forth, are promulgated by the Federal Trade Commission under the trade practice conference procedure.

The members of this industry are persons, firms, or corporations located in the Philadelphia trade area and engaged in the sale and distribution at wholesale of packaged candy, candy bars, chewing gum, and related confectionery items, as

well as certain allied lines of merchandise. The business of such industry members, amounting to an estimated volume of \$25,000,000 annually, consists primarily in purchasing these products from manufacturers and reselling and distributing the same to retailers.

The rules have as their purpose the prevention of unfair trade practices and the maintenance of fair competitive conditions in the interest of protecting industry, trade, and the public. To this end various practices which are deceptive or otherwise unfair are defined in the rules and provisions made therein for their elimination.

Proceedings for establishing the rules were instituted upon application made on behalf of members of the industry and included the holding of a trade practice conference under Commission auspices in Philadelphia. At such conference suggested rules were considered and adopted by the industry, subject to the Commission's approval. Thereafter, a draft of proposed rules was published for the information of all concerned and public notice was issued by the Commission under which all interested or affected persons, concerns, and organizations were afforded opportunity to present their views, including such pertinent information, suggestions, amendments, or objections as they desired to offer, and to be heard. Such hearing was accordingly held in Washington, D. C., and all matters presented thereat, or otherwise received in the proceedings, were duly considered.

Thereupon, and after full consideration of the matter, final action was taken by the Commission whereby its approved and received, respectively, the trade practice rules hereinafter appearing in Group I and Group II.

Such rules become operative 30 days from date of promulgation. However, this shall not be construed as sanctioning the use meanwhile of any unfair method of competition or other act or practice which is contrary to law.

These rules promulgated by the Commission are designed to foster and promote the maintenance of fair competitive conditions in the interest of protecting industry, trade, and the public. It is to this end, and to the exclusion of any act or practice which suppresses competition, restrains trade, fixes or controls price through combination or agreement, or which otherwise injures, destroys, or prevents competition, that the rules are to be applied.

Group I

The unfair trade practices embraced in the Group I rules herein are considered to be unfair methods of competition, unfair or deceptive acts or practices, or other illegal practices, prohibited under laws administered by the Federal Trade Commission; and appropriate proceedings in the public interest will be taken by the Commission to prevent the use, by any person, partnership, corporation, or other organization subject to its jurisdiction, of such unlawful practices in commerce.

Sec.
 168.1 Misrepresentation in general.
 168.2 Misrepresentation as to character of business.
 168.3 Deception through failure to differentiate between wholesale and retail transactions.
 168.4 Deception as to available supply of advertised merchandise.
 168.5 Misuse of word "free," etc.
 168.6 Use of lottery schemes.
 168.7 Imitation or simulation of trade-marks, trade names, etc.
 168.8 False invoicing.
 168.9 False and misleading price quotations, etc.
 168.10 Use of "loss leaders."
 168.11 Coercing purchase of one product as a prerequisite to the purchase of other products.
 168.12 Consignment distribution.
 168.13 Commercial bribery.
 168.14 Defamation of competitors or disparagement of their products.
 168.15 Inducing breach of contract.
 168.16 Unfair threats of infringement suits.
 168.17 Selling below cost.
 168.18 Combination or coercion to fix prices, suppress competition, or restrain trade.
 168.19 Discrimination.
 168.20 Discriminatory returns.

AUTHORITY: §§ 168.1 to 168.20, inclusive, issued under the authority contained in 38 Stat. 717, as amended, and pursuant to other provisions of law administered by the Commission.

§ 168.1 *Misrepresentation in general.* It is an unfair trade practice to use, or cause or promote the use of, any trade promotional literature, advertising matter, mark, brand, label, designation, or representation, however disseminated or published, which has the capacity and tendency or effect of misleading or deceiving purchasers or prospective purchasers with respect to the grade, quality, quantity, price, value, composition, ingredients, nutritional value, character, nature, size, use, preparation, manufacture, or distribution of any product of the industry, or in any other material respect.

NOTE: Among the inhibitions of this section, but not in limitation thereof, is "false advertisement," as defined in section 15 of the Federal Trade Commission Act, of any "food" or other product within the scope of such section.

[Rule 11]

§ 168.2 *Misrepresentation as to character of business.* It is an unfair trade practice for any member of the industry, in the course of or in connection with the distribution or sale of industry products, to represent, directly or indirectly, that it is a wholesaler of industry products when such is not the fact, or in any other manner to misrepresent the character, extent, or type of its business. [Rule 2]

§ 168.3 *Deception through failure to differentiate between wholesale and retail transactions.* Where industry products are sold at wholesale and at retail in the same establishment of a member of the industry, the commingling of the two types of business in such manner as to have the capacity and tendency or effect of misleading or deceiving purchasers or prospective purchasers is an unfair trade practice. [Rule 3]

§ 168.4 *Deception as to available supply of advertised merchandise.* The advertising or offering for sale of small or inadequate supplies of well-known brands or products at greatly reduced or bargain prices, without disclosure of the inadequacy of the supply available at such prices and with the capacity and tendency or effect of misleading or deceiving purchasers or prospective purchasers, is an unfair trade practice. [Rule 4]

§ 168.5 *Misuse of word "free," etc.* It is an unfair trade practice to use the term "free," or any other term of similar import or meaning, to describe, designate, or refer to any industry product which is not given to the recipient thereof without cost and unconditionally. [Rule 5]

§ 168.6 *Use of lottery schemes.* The offering or giving of prizes, premiums, or gifts in connection with the sale of industry products, or as an inducement thereto, by any scheme which involves lottery or scheme of chance, is an unfair trade practice. [Rule 6]

§ 168.7 *Imitation or simulation of trade-marks, trade names, etc.* The imitation or simulation of the trade-marks, trade names, brands, or labels of competitors, with the capacity and tendency or effect of misleading or deceiving purchasers, prospective purchasers, or the consuming public, is an unfair trade practice. [Rule 7]

§ 168.8 *False invoicing.* It is an unfair trade practice to withhold from or insert in invoices any statements or information by reason of which omission or insertion a false record is made, wholly or in part, of the transactions represented on the face of such invoices, with the effect of thereby misleading or deceiving purchasers or prospective purchasers. [Rule 8]

§ 168.9 *False and misleading price quotations, etc.* The publishing or circulating by any member of the industry of false or misleading price quotations, price lists, or terms or conditions of sale, with the capacity and tendency or effect of thereby misleading or deceiving purchasers or prospective purchasers, is an unfair trade practice. [Rule 9]

§ 168.10 *Use of "loss leaders."* The practice of selling any brand of confectionery, candy bar, chewing gum, or other confectionery product, or allied line, below the seller's cost as a "loss leader" to induce the purchase of other merchandise, the sale of the latter being used to recoup the loss sustained on the "loss leader" product so sold, with the capacity and tendency or effect of misleading or deceiving purchasers, prospective purchasers, or the consuming public, in an unfair trade practice. [Rule 10]

§ 168.11 *Coercing purchase of one product as a prerequisite to the purchase of other products.* The practice of coercing the purchase of one or more products as a prerequisite to the purchase of one or more other products, where the effect may be to substantially lessen competition or tend to create a

monopoly or to unreasonably restrain trade, is an unfair trade practice. [Rule 11]

§ 168.12 *Consignment distribution.* It is an unfair trade practice for any member of the industry to employ the practice of shipping industry products on consignment or pretended consignment for the purpose and with the effect of artificially clogging or closing trade outlets and unduly restricting competitors' use of said trade outlets in getting their products to consumers through regular channels of distribution, thereby injuring, destroying, or preventing competition or tending to create a monopoly or to unreasonably restrain trade. Nothing in this section shall be construed as restricting or preventing consignment shipping or marketing of industry products in good faith where suppression of competition, restraint of trade, or undue interference with competitors' use of the usual channels of distribution, is not effected. [Rule 12]

§ 168.13 *Commercial bribery.* It is an unfair trade practice for a member of the industry, directly or indirectly, to give or offer to give, or permit or cause to be given, money or anything of value to agents, employees, or representatives of customers or prospective customers, or to agents, employees, or representatives of competitors' customers or prospective customers, without the knowledge of their employers or principals, as an inducement to influence their employers or principals to purchase or contract to purchase products manufactured or sold by such industry member or the maker of such gift or offer, or to influence such employers or principals to refrain from dealing in the products of competitors or from dealing or contracting to deal with competitors. [Rule 13]

§ 168.14 *Defamation of competitors or disparagement of their products.* The defamation of competitors by falsely imputing to them dishonorable conduct, inability to perform contracts, questionable credit standing, or by other false representations, or the false disparagement of the products of competitors in any respect, or of their business methods, selling prices, values, credit terms, policies, or services, is an unfair trade practice. [Rule 14]

§ 168.15 *Inducing breach of contract.* Inducing or attempting to induce the breach of existing lawful contracts between competitors and their customers or their contracts between competitors and their customers or their suppliers by any false or deceptive means whatsoever, or interfering with or obstructing the performance of any such contractual duties or services by any such means, with the purpose and effect of unduly hampering, injuring, or prejudicing competitors in their business, is an unfair trade practice. [Rule 15]

§ 168.16 *Unfair threats of infringement suits.* The circulation of threats of suit for infringement of patents or trademarks among customers or prospective customers of competitors, not made in good faith but for the purpose or with the

effect of thereby harassing or intimidating such customers or prospective customers, or of unduly hampering, injuring, or prejudicing competitors in their business, is an unfair trade practice. [Rule 16]

§ 168.17 *Selling below cost.* The practice of selling industry products below the seller's cost with the intent and with the effect of injuring a competitor and where the effect may be substantially to lessen competition or tend to create a monopoly or unreasonably restrain trade is an unfair trade practice. All elements recognized by good accounting practice as proper elements of such cost shall be included in determining cost under this section. The costs, however, which are referred to in the rule are actual costs of the respective seller and not some other figure or average costs in the industry determined by an industry cost survey or otherwise. [Rule 17]

§ 168.18 *Combination or coercion to fix prices, suppress competition, or restrain trade.* It is an unfair trade practice for a member of the industry, or any other person:

(a) To use, directly or indirectly, any form of threat, intimidation, or coercion against any member of the industry or other person to unlawfully fix, maintain, or enhance prices, suppress competition, or restrain trade; or

(b) To enter into or take part in, directly or indirectly, any agreement, understanding, combination, conspiracy, or concerted action with one or more members of the industry, or with one or more other persons, to unlawfully fix, maintain, or enhance prices, suppress competition, or restrain trade. [Rule 18]

§ 168.19 *Discrimination.*—(a) *Prohibited discriminatory prices, or rebates, refunds, discounts, credits, etc., which effect unlawful price discrimination.* It is an unfair trade practice for any member of the industry engaged in commerce,¹ in the course of such commerce, to grant or allow, secretly or openly, directly or indirectly, any rebate, refund, discount, credit, or other form of price differential (whether in the guise of samples or otherwise), where such rebate, refund, discount, credit, or other form of price differential, effects a discrimination in price between different purchasers of goods of like grade and quality, where either or any of the purchases involved therein are in commerce,¹ and where the effect thereof may be substantially to lessen competition or tend to create a monopoly in any

line of commerce¹, or to injure, destroy, or prevent competition with any person who either grants or knowingly receives the benefit of such discrimination, or with customers of either of them: *Provided, however:*

(1) That the goods involved in any such transaction are sold for use, consumption, or resale within any place under the jurisdiction of the United States;

(2) That nothing herein contained shall prevent differentials which make only due allowance for differences in the cost of manufacture, sale, or delivery resulting from the differing methods or quantities in which such commodities are to such purchasers sold or delivered;

(3) That nothing herein contained shall prevent persons engaged in selling goods, wares, or merchandise in commerce¹ from selecting their own customers in bona fide transactions and not in restraint of trade;

(4) That nothing herein contained shall prevent price changes from time to time where made in response to changing conditions affecting either (i) the market for the goods concerned, or (ii) the marketability of the goods, such as, but not limited to, actual or imminent deterioration of perishable goods, obsolescence of seasonal goods, distress sales under court process, or sales in good faith in discontinuance of business in the goods concerned.

(b) *Prohibited brokerage and commissions.* It is an unfair trade practice for any member of the industry engaged in commerce,¹ in the course of such commerce, to pay or grant, or to receive or accept, anything of value as a commission, brokerage, or other compensation, or any allowance or discount in lieu thereof, except for services rendered in connection with the sale or purchase of goods, wares, or merchandise, either to the other party to such transaction or to an agent, representative, or other intermediary therein where such intermediary is acting in fact for or in behalf of, or is subject to the direct or indirect control, of any party to such transaction other than the person by whom such compensation is so granted or paid.

(c) *Prohibited advertising or promotional allowances, etc.* It is an unfair trade practice for any member of the industry engaged in commerce¹ to pay or contract for the payment of advertising or promotional allowances or any other thing of value to or for the benefit of a customer of such member in the course of such commerce as compensation or in consideration for any services or facilities furnished by or through such customer in connection with the processing, handling, sale, or offering for sale of any products or commodities manufactured, sold, or offered for sale by such member, unless such payment or consideration is available on proportionally equal terms to all other customers competing in the distribution of such products or commodities.

(d) *Prohibited discriminatory services or facilities.* It is an unfair trade practice for any member of the industry to discriminate in favor of one purchaser against another purchaser or purchasers of a commodity bought for resale, with or

without processing, by contracting to furnish or furnishing, or by contributing to the furnishing of, any services or facilities connected with the processing, handling, sale, or offering for sale of such commodity so purchased upon terms not accorded to all purchasers on proportionally equal terms.

(e) *Inducing or receiving an illegal discrimination in price.* It is an unfair trade practice for any member of the industry engaged in commerce,¹ in the course of such commerce, knowingly to induce or receive a discrimination in price which is prohibited by the foregoing provisions of this section.

(f) *Purchases by schools, colleges, universities, public libraries, churches, hospitals, and charitable institutions not operated for profit.* The foregoing provisions of this section relate to practices within the purview of the Robinson-Patman Antidiscrimination Act, which act and the application thereunder of this section are subject to the limitations expressed in the amendment to such Robinson - Patman Antidiscrimination Act, which amendment was approved May 26, 1938, and reads as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That nothing in the Act approved June 19, 1936 (Public Numbered 692, Seventy-fourth Congress, second session), known as the Robinson-Patman Antidiscrimination Act, shall apply to purchases of their supplies for their own use by schools, colleges, universities, public libraries, churches, hospitals, and charitable institutions not operated for profit." (52 Stat. 446; United States Code, 1940 edition, Title 15, sec. 13c.)

[Rule 19]

§ 168.20 *Discriminatory returns.* It is an unfair trade practice for any member of the industry engaged in commerce¹ to discriminate in favor of one customer-purchaser against another customer-purchaser of industry products, bought from such member of the industry for resale, by contracting to furnish or furnishing in connection therewith, upon terms not accorded to all customer-purchasers on proportionally equal terms, the service or facility whereby such favored purchaser is accorded the privilege of returning products so purchased and receiving therefor credit or refund of purchase price: *Provided, however,* Nothing in any of the sections herein shall prohibit or be used to prevent the return of merchandise by purchaser, for credit or refund of purchase price, when and because such merchandise has been falsely or improperly labeled, branded, or represented, or when and because such merchandise is defective contrary to warranty or purchase contract. [Rule 20]

Group II

Compliance with trade practice provisions embraced in Group II rules is considered to be conducive to sound business methods and is to be encouraged and promoted individually or through voluntary cooperation exercised in accordance with existing law. Nonobservance of such rules does not per se constitute violation of law. Where, however, the practice of not complying with any such

¹ As here used, the word "commerce" means trade or commerce among the several States and with foreign nations, or between the District of Columbia or any Territory of the United States and any State, Territory, or foreign nation, or between any insular possessions or other places under the jurisdiction of the United States, or between any such possession or place and any State or Territory of the United States or the District of Columbia or any foreign nation, or within the District of Columbia or any Territory or any insular possession or other place under the jurisdiction of the United States. (With respect to the Philippine Islands, the foregoing is subject to such statutory limitations as relate thereto.)

Group II rules is followed in such manner as to result in unfair methods of competition, or unfair or deceptive acts or practices, corrective proceedings may be instituted by the Commission as in the case of violation of Group I rules.

RULE A. Giving samples. The industry disapproves the giving of samples without charge except when given to acquaint purchasers, prospective purchasers, or the consuming public, with the product offered for sale and where the giving of such samples is not practiced or accomplished in such way or to such extent as to effectuate an illegal discrimination, contrary to the provisions of Rule 19, or to accomplish any other illegal result contrary to these rules.

RULE B. Return of merchandise. The practice, by members of the industry, of selling merchandise and later permitting the purchaser to return it for credit or refund of purchase price, without just cause, creates waste and loss, increases the cost of doing business to the detriment of both the industry and the public, and is condemned by the industry, subject, however, to requirements and limitations set forth in the provisions of § 168.20 of Group I, herein.

RULE C. Arbitration. The industry approves the practice of handling business disputes between members of the industry and their customers in a fair and reasonable manner, coupled with a spirit of moderation and good will, and every effort should be made by the disputants themselves to compose their differences. If unable to do so they should, if possible, submit these disputes to impartial arbitration.

Promulgated and issued by the Federal Trade Commission July 30, 1946.

[SEAL] OTIS B. JOHNSON,
Secretary.

[F. R. Doc. 46-13011; Filed, July 29, 1946;
11:39 a. m.]

TITLE 29—LABOR

Chapter IX—Department of Agriculture (Agricultural Labor)

[Supp. 58, Amdt. 1]

PART 1102—SALARIES AND WAGES OF AGRICULTURAL LABOR IN THE STATE OF CALIFORNIA

WORKERS ENGAGED IN PICKING PEARS, PRUNES, WALNUTS AND HOPS IN LAKE COUNTY, CALIF.

Section 1102.26 (10 F.R. 9069) is hereby amended as follows: Paragraph (b) (1) is amended to read as follows:

(1) Hourly rates:

(i) For picking pears, prunes, walnuts and hops—\$1.00 per hour.

This amendment 1 to Supplement 58 shall become effective at 12:01 a. m., Pacific standard time, July 26, 1946.

(56 Stat. 765 (1942); 50 U.S.C. 961 et seq. (Supp. IV); 57 Stat. 63 (1943); 50 U.S.C. 964 (Supp. IV); 58 Stat. 632 (1944); Pub. Law 108, 79th Cong.; E.O. 9250, 7 F.R. 7371; E.O. 9328, 8 F.R. 4681; E.O. 9577, 10 F.R. 8037; E.O. 9620, 10 F.R. 12023;

E.O. 9651, 10 F.R. 13487; E.O. 9697, 11 F.R. 1691; regulations of the Economic Stabilization Director, 8 F.R. 11960, 12139, 16702; 9 F.R. 6035, 14547; 10 F.R. 9478, 9628; 11 F.R. 2517; regulations of the Secretary of Agriculture, 9 F.R. 655, 12117, 12611; 10 F.R. 7609, 9581; 9 F.R. 831, 12807, 14206; 10 F.R. 3177; 11 F.R. 5903)

Issued this 26th day of July 1946.

[SEAL] K. A. BUTLER,
Acting Director, Labor Branch,
Production and Marketing
Administration.

[F. R. Doc. 46-12878; Filed, July 29, 1946;
11:12 a. m.]

TITLE 32—NATIONAL DEFENSE

Chapter VI—Selective Service System

AFFIDAVIT; OCCUPATIONAL CLASSIFICATION

ORDER PRESCRIBING FORMS

[No. 322]

Pursuant to authority contained in the Selective Training and Service Act of 1940, as amended, I hereby prescribe the following change in DSS Forms:

Discontinuance of DSS Form 42 entitled "Affidavit—Occupational Classification (General)" and

Discontinuance of DSS Form 42 entitled "Affidavit—Occupational Classification (Special—Merchant Marine). All unused copies of these forms should be disposed of.

The foregoing change shall become a part of the Selective Service Regulations effective within the continental United States immediately upon the filing hereof with the Division of the Federal Register and effective outside the continental limits of the United States on the 30th day after the date of filing hereof with the Division of the Federal Register.

LEWIS B. HERSHY,
Director.

JULY 26, 1946.

[F. R. Doc. 46-12875; Filed, July 29, 1946;
11:08 a. m.]

[Amdt. 388]

PART 623—CLASSIFICATION PROCEDURE

MISCELLANEOUS AMENDMENTS

Pursuant to authority contained in the Selective Training and Service Act of 1940, as amended, Selective Service Regulations, Second Edition, are hereby amended in the following respect:

1. Amend paragraph (b) of § 623.21 to read as follows:

§ 623.21 Consideration of classes.

(b) If a registrant who is liable for service is not classified in one of the classes set forth in paragraph (a) of this section, he shall be classified in Class I-A; provided, if he claims to be a conscientious objector, the claim shall be determined; and, if he is found to be a conscientious objector to combatant military service only, he shall be classified in Class I-A-O or, if he is found to be a

conscientious objector to both combatant and noncombatant military service, he shall be classified in Class IV-E.

2. Amend paragraph (c) of § 623.53 to read as follows:

§ 623.53 Man separated from land or naval forces of the United States.
* * *

(c) Any registrant classified in Class I-C who has been separated from the land or naval forces of the United States on or after September 16, 1940, by Honorable Discharge or Discharge Under Honorable Conditions, or by an equivalent type of release from service if the registrant was an officer, a flight officer, or a warrant officer, and who presents to the clerk of his own local board the discharge or release itself or a Notice or Report of Separation containing such information, provided he has served on active duty in the land or naval forces of the United States outside the continental limits of the United States or in Alaska; or if he has served on active duty in the land or naval forces of the United States for a period of at least six months after September 16, 1940 (excluding the time that any individual so served while pursuing a course of instruction in a university, college, or any similar institution of learning), shall, upon his request, be issued prior to review by the local board, a Notice of Classification (Form 57) bearing the notation "Class I-C-Disc."

3. Delete § 623.81 in its entirety.

The foregoing amendments to the Selective Service Regulations shall be effective within the continental United States immediately upon the filing hereof with the Division of the Federal Register and shall be effective outside the continental limits of the United States on the 30th day after the date of filing hereof with the Division of the Federal Register.

LOUIS B. HERSHY,
Director.

JULY 27, 1946.

[F. R. Doc. 46-12866; Filed, July 29, 1946;
11:07 a. m.]

[Amdt. 389]

PART 624—VOLUNTEERS

CLASSIFICATION

Pursuant to authority contained in the Selective Training and Service Act of 1940, as amended, Selective Service Regulations, Second Edition, are hereby amended in the following respect:

Amend paragraphs (a) and (c) of § 624.4 to read as follows:

§ 624.4 Classification of volunteers.

(a) He is found to be indispensable and irreplaceable to an activity essential to the national existence;

(c) He has one or more children, as defined in § 622.31 (b);

The foregoing amendment to the Selective Service Regulations shall be effective within the continental United

States immediately upon the filing hereof with the Division of the Federal Register and shall be effective outside the continental limits of the United States on the 30th day after the date of filing hereof with the Division of the Federal Register.

LEWIS B. HERSHY,
Director.

JULY 27, 1946.

[F. R. Doc. 46-12867; Filed, July 29, 1946;
11:07 a. m.]

[Amdt. 390]

**PART 627—APPEAL TO BOARD OF APPEAL
APPEAL FROM LOCAL BOARD'S DETERMINATION**

Pursuant to authority contained in the Selective Training and Service Act of 1940, as amended, Selective Service Regulations, Second Edition, are hereby amended in the following respect:

Amend paragraph (a) of § 627.51 to read as follows:

§ 627.51 Appeal may be taken by registrant from local board's determination in certain cases. (a) When a registrant has requested his local board to make a determination under the provisions of § 619.1, or § 622.25-2, and the local board has made a determination upon such request, the registrant may file a written notice of appeal from his local board's determination thereon within 10 days from the date the local board mailed notice of such determination.

The foregoing amendment to the Selective Service Regulations shall be effective within the continental United States immediately upon the filing hereof with the Division of the Federal Register and shall be effective outside the continental limits of the United States on the 30th day after the date of filing hereof with the Division of the Federal Register.

LEWIS B. HERSHY,
Director.

JULY 27, 1946.

[F. R. Doc. 46-12868; Filed, July 29, 1946;
11:07 a. m.]

[Amdt. 391]

**PART 632—INDUCTION CALLS
MISCELLANEOUS AMENDMENTS**

Pursuant to authority contained in the Selective Training and Service Act of 1940, as amended, Selective Service Regulations, Second Edition, are hereby amended in the following respect:

1. Amend § 632.3 to read as follows:

§ 632.3 Manner of allocating requisitions and calls. The requisitions of the Secretary of War and of the Secretary of the Navy and the calls of the Director of Selective Service and of the State Directors of Selective Service shall (notwithstanding the provisions of section 4 (b) of the Selective Training and Service Act of 1940, as amended) be allocated on the basis of the best information available at the time of allocating calls, without

affecting the usual regular and orderly flow of the Nation's manpower into the armed forces as required for service therein, and in accordance with the provisions of the Selective Training and Service Act of 1940, as amended, so that registrants shall, on a Nation-wide basis within the Nation and on a State-wide basis within each State, be ordered for induction in accordance with such requisitions of the Secretary of War and of the Secretary of the Navy for registrants who are available for induction under Selective Service Regulations and who have been found to be qualified for general military service or acceptable for military service, as the case may be.

2. Amend paragraph (a) of § 632.4 to read as follows:

*§ 632.4 Manner of selecting registrants to fill an induction call for men qualified for general military service. (a) In filling an induction call for specified men who have been found qualified for general military service, the local board, so far as possible, shall, in the sequence provided in paragraph (b) of this section, select and order to report for induction specified men ages 19 through 29 and specified men who have volunteered for induction and who are of an age currently acceptable to the armed forces as volunteers. The specified men so selected and ordered to report for induction shall be men to whom the local board has mailed a Certificate of Fitness (Form 218) at least 21 days before the date fixed for induction who are available for induction and have been found qualified for general military service and who are not deferred, exempted, or relieved from liability or postponed from induction under the selective service law: *Provided*, That a registrant classified in Class I-A or Class I-A-O who is a delinquent may be selected and ordered to report for induction to fill an induction call notwithstanding the fact that he has not been found qualified for general military service and has not been mailed a Certificate of Fitness (Form 218).*

3. Amend § 632.4-2 to read as follows:

§ 632.4-2 Registrants outside of the United States when ordered to report for induction. Men ages 19 through 29 and men who have volunteered for induction and who are of an age currently acceptable to the armed forces as volunteers (a) may enlist or be inducted outside of the United States under special procedures prescribed by the Director of Selective Service, or (b) if outside of the United States at the time they are ordered to report for induction, may, upon their return to the United States, be inducted under special procedures prescribed by the Director of Selective Service.

4. Amend paragraph (a) of § 632.6 to read as follows:

§ 632.6 Certain registrants inducted without calls. (a) Any man age 19 through 29 and any man who has volunteered for induction and is of an age currently acceptable to the armed forces as a volunteer, who signs a Request for Immediate Induction (Form 219) and is in a class available for service, provided

an appeal is not pending in his case and the period during which an appeal may be taken has expired, may be forwarded for induction at the time the local board is forwarding men for preinduction physical examination or for induction or at any other time when special arrangements have been made with the induction station without any calls being made for the delivery of such men.

The foregoing amendments to the Selective Service Regulations shall be effective within the Continental United States immediately upon the filing hereof with the Division of the Federal Register and shall be effective outside the Continental limits of the United States on the 30th day after the date of filing hereof with the Division of the Federal Register.

LEWIS B. HERSHY,
Director.

JULY 27, 1946.

[F. R. Doc. 46-12869; Filed, July 29, 1946;
11:07 a. m.]

[Amdt. 392]

**PART 633—DELIVERY AND INDUCTION
MISCELLANEOUS AMENDMENTS**

Pursuant to authority contained in the Selective Training and Service Act of 1940, as amended, Selective Service Regulations, Second Edition, are hereby amended in the following respect:

1. Amend paragraph (a) of § 633.2-2 to read as follows:

§ 633.2-2 Postponement of induction; high school students. (a) Any person nineteen years of age who, while pursuing a course of instruction at a high school or similar institution of learning, is ordered to report for induction during the last half of one of his academic years at such school or institution, shall, upon his request, have his induction postponed until the end of such academic year, without regard to the date during the calendar year on which such academic year ends, or until he ceases to pursue such course of instruction, whichever is the earlier.

2. Delete paragraph (b) and reletter paragraph (c) as paragraph (b).

3. Delete § 633.2-3 in its entirety.

4. Amend subparagraph (2) of paragraph (a) of § 633.3 to read as follows:

§ 633.3 Preparing records for a group ordered to report for induction. (a)

(2) Assemble and attach to the registrant's Report of Physical Examination and Induction (Form 221) the X-ray film made at the time of preinduction physical examination; any waiver of disqualification; any order terminating civil custody; any Alien's Personal History and Statement (Form 304) bearing the armed forces' endorsement of acceptability for military service; and all other information bearing on the fitness of the registrant for military service except records bearing upon the medical, social, and educational history of the registrant.

The foregoing amendments to the Selective Service Regulations shall be effective

tive within the continental United States immediately upon the filing hereof with the Division of the Federal Register and shall be effective outside the continental limits of the United States on the 30th day after the date of filing hereof with the Division of the Federal Register.

LEWIS B. HERSHY,
Director.

JULY 27, 1946.

[F. R. Doc. 46-12870; Filed, July 29, 1946;
11:07 a. m.]

[Amdt. 393]

PART 642—DELINQUENTS

MISCELLANEOUS AMENDMENTS

Pursuant to authority contained in the Selective Training and Service Act of 1940, as amended, Selective Service Regulations, Second Edition, are hereby amended in the following respect:

1. Amend § 642.12 to read as follows:

§ 642.12 *Classification of registrant delinquent.* Any delinquent registrant age 19 through 29 and any delinquent registrant who volunteers for induction and is of an age currently acceptable to the armed forces as a volunteer may be classified in or reclassified into Class I-A, Class I-A-O, or Class IV-E, whichever is applicable, regardless of other circumstances; *Provided*, That a delinquent registrant in Class I-C who has "completed his service" in the land or naval forces of the United States and a delinquent registrant in Class IV-E who has been separated from work of national importance under civilian direction may not be classified in or reclassified into Class I-A, Class I-A-O, or Class IV-E under this section, unless his classification out of Class I-C or Class IV-E is specifically authorized by the Director of Selective Service.

2. Amend paragraphs (a) and (b) of § 642.13 to read as follows:

§ 642.13 *Certain delinquents to be ordered to report for induction or for work of national importance.* (a) The local board shall order each delinquent registrant age 19 through 29 and each delinquent registrant who volunteers for induction and who is of an age currently acceptable to the armed forces as a volunteer to report for induction in the manner provided in § 632.4 or in § 632.4-1, as the case may be, who is classified in or reclassified into Class I-A or Class I-A-O unless (1) it has already done so, or (2) pursuant to a written request of the United States Attorney, the local board determines not to order such registrant to report for induction. If such delinquent registrant (other than a registrant whom the local board has determined not to order to report for induction pursuant to a written request of the United States Attorney) executes an Application for Voluntary Induction (Form 165) and a Request for Immediate Induction (Form 219), he shall be inducted immediately.

(b) The local board shall, in the manner provided in § 652.1, forward to the

State Director of Selective Service a Conscientious Objector Report (Form 48) for each delinquent registrant age 19 through 29 and for each delinquent registrant who volunteers for work of national importance under civilian direction and is of an age currently acceptable to the armed forces as a volunteer, who is classified in or reclassified into Class IV-E unless (1) it has already done so, or (2) pursuant to a written request of the United States Attorney, the local board determines not to forward a Conscientious Objector Report (Form 48) for such registrant to the State Director. The Conscientious Objector Report (Form 48) shall include the statement that such registrant is a delinquent. As soon as the local board receives an Assignment to Work of National Importance (Form 49) for such delinquent registrant, it shall issue to him an Order to Report for Work of National Importance (Form 50).

The foregoing amendments to the Selective Service Regulations shall be effective within the continental United States immediately upon the filing hereof with the Division of the Federal Register and shall be effective outside the continental limits of the United States on the 30th day after the date of filing hereof with the Division of the Federal Register.

LEWIS B. HERSHY,
Director.

JULY 27, 1946.

[F. R. Doc. 46-12871; Filed, July 29, 1946;
11:07 a. m.]

[Amdt. 394]

PART 643—PAROLE

CLASSIFICATION OF SELECTIVE SERVICE VIOLATORS

Pursuant to authority contained in the Selective Training and Service Act of 1940, as amended, Selective Service Regulations, Second Edition, are hereby amended in the following respect:

Amend paragraphs (a) and (b) of § 643.6 to read as follows:

§ 643.6 *Classification of selective service violators before recommending parole.* (a) Each selective service violator who has reached the eighteenth anniversary of the date of his birth and volunteers, or each selective service violator who has reached the nineteenth anniversary of the date of his birth, who is not beyond the age currently acceptable to the armed forces as a volunteer, who does not have one or more children, who has served 60 days or more of his sentence after his commitment shall be classified by the special panel local board in the following manner: * * *

(b) Each selective service violator beyond the age currently acceptable to the armed forces as a volunteer and each selective service violator having one or more children, who has served 60 days or more of his sentence after commitment shall, unless he is already so classified, be placed in the first class listed in § 662.4 for which he is eligible.

The foregoing amendments to the Selective Service Regulations shall be effective within the continental United States immediately upon the filing hereof with the Division of the Federal Register and shall be effective outside the continental limits of the United States on the 30th day after the date of filing hereof with the Division of the Federal Register.

LEWIS B. HERSHY,
Director.

JULY 27, 1946.

[F. R. Doc. 46-12872; Filed, July 29, 1946;
11:07 a. m.]

[Amdt. 395]

PART 662—SPECIAL PANEL LOCAL BOARDS IN PENAL OR CORRECTIONAL INSTITUTIONS

CLASSIFICATION IN GENERAL

Pursuant to authority contained in the Selective Training and Service Act of 1940, as amended, Selective Service Regulations, Second Edition, are hereby amended in the following respect:

1. Amend paragraphs (a) and (b) of § 662.8 to read as follows:

§ 662.8 *Classification in general.* (a) As soon as the special panel local board receives the records of a registrant 19 years of age or over, it shall review his classification, and if he is not classified in the first class listed in § 662.4 for which he is eligible, it shall reopen his classification and so classify him. If the special panel local board classifies the registrant anew, it shall immediately notify the local board having jurisdiction of the address given on line 2 of such registrant's Registration Card (Form 1) of such classification.

(b) As soon as the special panel local board registers a registrant under the provisions of § 662.6, it shall require such registrant (1) to complete his Selective Service Questionnaire (Form 40) if he is of an age liable for service; (2) if he claims to be a conscientious objector, to complete Special Form for Conscientious Objector (Form 47); and (3) to furnish such other information as the special panel local board may require. It shall then classify such registrant in the first class listed in § 662.4 for which he is eligible, and the special panel local board shall then advise the local board to which his original Registration Card (Form 1) was transmitted of such classification.

The foregoing amendments to the Selective Service Regulations shall be effective within the continental United States immediately upon the filing hereof with the Division of the Federal Register and shall be effective outside the continental limits of the United States on the 30th day after the date of filing hereof with the Division of the Federal Register.

LEWIS B. HERSHY,
Director.

JULY 27, 1946.

[F. R. Doc. 46-12873; Filed, July 29, 1946;
11:08 a. m.]

[Amdt. 396]

PART 663—BOARDS OF TRANSFER IN TERRITORY OF HAWAII AND IN TERRITORY OF ALASKA

Pursuant to authority contained in the Selective Training and Service Act of 1940 as amended, Selective Service Regulations, Second Edition, are hereby amended in the following respect:

Amend the regulations by deleting Part 663 in its entirety.

The foregoing amendment to the Selective Service Regulations shall be effective within the continental United States immediately upon the filing hereof with the Division of the Federal Register and shall be effective outside the continental limits of the United States on the 30th day after the date of filing hereof with the Division of the Federal Register.

LEWIS B. HERSHY,
Director.

JULY 27, 1946.

[F. R. Doc. 46-12874; Filed, July 29, 1946;
11:08 a. m.]

Chapter IX—Civilian Production Administration**PART 4600—RUBBER, SYNTHETIC RUBBER AND PRODUCTS THEREOF**

[Rubber Order R-1, as Amended Mar. 1, 1946,
Amdt. 4]

Rubber Order R-1, as amended March 1, 1946, is hereby further amended by adding a new § 4600.04a entitled "Limitation on delivery of GR-S synthetic rubber", reading as follows:

§ 4600.04a. *Limitation on delivery of GR-S synthetic rubber*—(a) *Prohibition on accepting delivery of GR-S without authorization*. No person shall accept delivery of GR-S synthetic rubber, including latices, in any one calendar quarter, in amounts greater than specifically authorized by the CPA. Such authorizations will be made on Form CPAI-3488 and will cover the calendar quarter beginning July 1, 1946. The Office of Rubber Reserve (RFC) will be instructed to limit the shipment of GR-S to each person to the amount authorized on Form CPAI-3488 for any calendar quarter.

(b) *Basis for authorizations*. In determining the amounts to be authorized the Civilian Production Administration will take into consideration the consumption and inventories of GR-S reported on Form CPA-3410, information on past production and estimated future production of rubber products, as well as the proportional requirements for natural rubber in products, as specified in Appendices I and II of R-1. It will be the policy of CPA to distribute equitably the supply of GR-S among all consumers so that the quantities of GR-S authorized will be sufficient for the industry to maintain its production schedules.

(c) *Revision of 3d quarter 1946 requirements and new applications for GR-S*. Any person wishing to revise a statement of his third quarter 1946 requirements already filed with the Rubber Division, may file Form CPA-4488 with the Rubber Division, CPA, Wash-

ington 25, D. C. Any person who has not, previous to July 1, 1946, purchased GR-S from the Office of Rubber Reserve and who desires an authorization to accept delivery may apply on Form CPA-4488 to the Rubber Division.

(d) *Fourth quarter 1946 requirements must be filed by September 1, 1946* Form CPA-4488 covering requirements of GR-S for the fourth quarter 1946 must be filed with the Rubber Division on or before September 1, 1946.

(e) *Monthly applications to Office of Rubber Reserve to purchase GR-S*. Monthly applications to Office of Rubber Reserve to purchase GR-S are to be made as heretofore to the Sales Division, Office of Rubber Reserve (RFC) Washington 25, D. C., in accordance with procedures established by that office. Such applications, on and after August 1, 1946, must not exceed the quantity authorized by the Civilian Production Administration for delivery during the quarter, and must not exceed the limitation on GR-S inventory (30 days or a practicable minimum working inventory, whichever is less) provided for in Priorities Regulation 32, Table 1.

(Sec. 2 (a), 54 Stat. 676, as amended by 55 Stat. 236 and 56 Stat. 177; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; E.O. 9246, 7 F.R. 7379, as amended by E.O. 9475, 9 F.R. 10817; WPB Reg. 1 as amended Dec. 31, 1943, 9 F.R. 64)

Issued this 29th day of July 1946.

CIVILIAN PRODUCTION
ADMINISTRATION,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 46-12880; Filed, July 29, 1946;
11:16 a. m.]

Chapter XI—Office of Price Administration**PART 1388—DEFENSE-RENTAL AREAS**

[Rent Reg. for Housing, N. Y. C.,¹ Amdt. 28]

HOUSING IN NEW YORK CITY

Section 6 (b) (3) (i) of the Rent Regulation for Housing in the New York City Defense-Rental Area is amended to read as follows:

(i) This paragraph (b) (3) applies to the issuance of a certificate for occupancy of housing accommodations in a structure or premises owned or leased by a cooperative corporation or association (hereinafter called "cooperative" by a purchaser of stock or other evidence of interest (hereinafter called "stock") in such cooperative who is entitled by reason of ownership of such stock to possession of such housing accommodations by virtue of a proprietary lease or otherwise. It applies only to the issuance of a certificate authorizing the pursuit of local remedies to remove or evict one who was a tenant of the housing accommodations at the time of such purchase.

Issued and effective July 26, 1946.

PAUL A. PORTER,
Administrator.

[F. R. Doc. 46-12821; Filed, July 26, 1946;
4:41 p. m.]

11 F.R. 4583.

PART 1305—ADMINISTRATION

[SO 169 (§ 1305.197)]

PRICE LIMITATION ON SALES OF JUMBO ROLLS OF PAPER OR PAPERBOARD TO MANUFACTURERS OF CORRUGATED OR SOLID FIBRE CONTAINERBOARD PRODUCTS

A statement of the considerations involved in the issuance of this Supplementary Order, issued simultaneously herewith, has been filed with the Division of the Federal Register.

SECTION 1. Price limitation on sales of jumbo rolls of paper or paperboard to manufacturers of corrugated or solid fibre containerboard products. (a) Notwithstanding the provisions of any other regulation, no person shall sell, offer to sell, transfer or deliver any paper or paperboard in jumbo rolls (as defined below) to manufacturers of corrugated or solid fibre containerboard products (as defined below) at prices in excess of the maximum prices established in Appendix B of Maximum Price Regulation 32 for the same or most nearly related grade of containerboard.

(b) Notwithstanding the provisions of any other regulation, no manufacturer of corrugated or solid fibre containerboard products shall buy, offer to buy, import, receive or accept delivery of any paper or paperboard in jumbo rolls at prices in excess of the maximum prices established in Appendix B of Maximum Price Regulation 32 for the same or most nearly related grade of containerboard.

SEC. 2. Definitions. (a) For the purposes of this order the following words shall have the meanings set forth below:

(1) "Person" includes an individual, corporation, partnership, association or any other organized group of persons, or the legal successor, representative or agent of the foregoing.

(2) "Corrugated or solid fibre container-board products" include and are limited to corrugated or solid fibre boxes, corrugated or solid fibre sheets, single face rolls, either corrugated or solid fibre commodities manufactured on the same converting equipment and any combination of the foregoing.

(3) "Jumbo roll" means a roll of paper or paperboard having a diameter of more than 18 inches.

SEC. 3. Exceptions. (a) This supplementary order shall not apply to sales or to purchases by a particular plant which itself does not produce any of the items listed in section 2 (a) (2) above but which is a segment of a multiplant organization which does produce such products.

(b) The Office of Price Administration may by order grant exceptions to this supplementary order to manufacturers of corrugated or solid fibre container-board products who can demonstrate that they use jumbo rolls of paper or paperboard in connection with the manufacture or sale of products other than the items listed in section 2 (a) (2) above.

SEC. 4. Application for maximum prices. Any person covered by section 1 above may apply in writing to the Office of Price Administration, Washington,

D. C. for the establishment of a maximum price for the sale, purchase, transfer, delivery or import of jumbo rolls of paper or paperboard to be sold to or purchased by manufacturers of corrugated or solid fibre containerboard products. Such application shall state all the facts pertinent to the purchase or sale involved and the reasons why the paper or paperboard cannot be priced under Appendix B of Maximum Price Regulation 32. A price in line with the general level of prices under Appendix B of Maximum Price Regulation 32 will be established.

NOTE: The reporting and record keeping requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

This order shall become effective July 26, 1946.

Issued this 26th day of July 1946.

PAUL A. PORTER,
Administrator.

[F. R. Doc. 46-12799; Filed, July 26, 1946;
3:32 p. m.]

PART 1382—HARDWOOD LUMBER

[MPR 155, Amdt. 23]

CENTRAL HARDWOOD LUMBER

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Maximum Price Regulation 155 is amended in the following respects:

In § 1382.61 (b) the price tables in subparagraphs 1 through 19 are amended to read as follows:

(1) TOUGH WHITE ASH

Thickness (inches)	FAS	No. 1 common and selects or No. 1 common	No. 2 common	No. 3 common
1.	\$88.00	\$57.00	\$42.50	\$24.50
1 $\frac{1}{4}$	98.50	62.50	44.50	25.50
1 $\frac{1}{2}$	103.00	69.00	46.50	25.50
2.	112.50	79.50	51.00	26.50
2 $\frac{1}{2}$	123.00	93.50	55.00	—
3.	133.50	104.00	59.50	—
4.	145.00	114.50	64.50	—

(2) BASSWOOD

Thickness (inches)	FAS	No. 1 common and selects or No. 1 common	No. 2A common	No. 2 common	No. 2B common	No. 3 common
1 $\frac{1}{2}$	\$61.50	\$45.50	\$38.00	\$23.00	\$30.50	—
2 $\frac{1}{2}$	69.00	51.00	42.50	37.00	34.00	—
3 $\frac{1}{2}$	77.50	56.00	46.50	41.50	37.00	—
1	89.00	63.50	53.00	45.50	41.50	\$24.50
1 $\frac{1}{4}$	94.50	69.00	55.00	47.50	42.50	25.50
1 $\frac{1}{2}$	96.50	71.00	57.00	50.00	43.50	25.50
2	103.00	78.50	61.50	51.00	44.50	26.50
2 $\frac{1}{2}$	113.50	83.50	—	—	—	—

(3) BEECH

Thickness (inches)	FAS	No. 1 common and selects or No. 1 common	No. 2 common	No. 3A common	Box grade	No. 3B common
1 $\frac{1}{2}$	\$59.50	\$41.00	\$28.50	—	—	—
2 $\frac{1}{2}$	68.00	47.00	33.00	—	—	—
3 $\frac{1}{2}$	77.00	52.50	37.00	—	—	—
1	89.50	61.00	43.50	\$35.00	\$29.50	\$25.50
1 $\frac{1}{4}$	95.00	64.50	46.50	37.50	30.50	26.50
1 $\frac{1}{2}$	98.50	68.50	48.00	38.00	32.00	26.50
2	106.00	75.50	52.00	39.00	33.00	27.50

(4) BUCKEYE

Thickness (inches)	FAS	No. 1 common and selects or No. 1 common	No. 2 common	No. 3 common
1	\$73.00	\$53.00	\$41.50	\$26.50
1 $\frac{1}{4}$	78.50	54.00	41.50	27.50
1 $\frac{1}{2}$	81.50	56.00	41.50	27.50
2	83.50	56.00	41.50	28.50

(5) BUTTERNUT

1	\$94.50	\$63.50	\$41.50	\$26.50
1 $\frac{1}{4}$	105.00	69.00	43.50	27.50
1 $\frac{1}{2}$	110.00	74.00	44.50	27.50
2	121.00	85.00	46.50	28.50

(6) HACKBERRY

Thickness (inches)	Log run	FAS	No. 1 common and selects or No. 1 common	No. 2 common	No. 3 common
1 $\frac{1}{2}$	\$36.00	—	—	—	—
2 $\frac{1}{2}$	40.50	—	—	—	—
1	45.50	\$55.00	\$45.50	\$37.00	\$22.50
1 $\frac{1}{4}$	47.50	57.00	47.50	38.00	23.50
1 $\frac{1}{2}$	47.50	57.00	47.50	39.00	23.50
2	50.00	59.50	50.00	39.00	24.50
2 $\frac{1}{2}$	60.50	51.00	39.00	—	—
3	63.50	54.00	40.50	—	—

(7) HICKORY

1	\$51.00	\$80.50	\$53.00	\$35.00	\$22.50
1 $\frac{1}{4}$	53.00	83.50	55.00	38.00	23.50
1 $\frac{1}{2}$	55.00	86.00	58.50	44.50	23.50
2	62.50	91.00	63.50	44.50	24.50

(8) HARD MAPLE

Thickness (inches)	FAS	No. 1 common and selects or No. 1 common	No. 2 common	No. 3A common	Sound wormy	Box grade	No. 3B common
1 $\frac{1}{2}$	\$73.00	\$53.00	\$34.00	\$34.00	—	—	—
2 $\frac{1}{2}$	83.50	59.50	37.00	37.00	—	—	—
3 $\frac{1}{2}$	93.50	65.50	41.50	41.50	—	—	—
4	108.00	75.50	46.50	\$32.00	\$25.50	\$21.00	—
1 $\frac{1}{2}$	118.50	80.50	50.00	33.00	27.50	22.50	—
1 $\frac{1}{2}$	124.00	83.50	52.00	33.00	27.50	22.50	—
2	131.50	91.00	54.00	34.00	28.50	23.50	—
2 $\frac{1}{2}$	147.50	106.00	—	—	—	—	—
3	163.00	122.00	—	—	—	—	—
4	179.00	140.00	—	—	—	—	—

(9) SOFT MAPLE

Thickness (inches)	FAS	No. 1 common and selects or No. 1 common	No. 2 common	No. 3 common
1 $\frac{1}{2}$	\$61.50	\$46.50	\$34.00	—
2 $\frac{1}{2}$	70.00	52.00	36.00	—
3 $\frac{1}{2}$	78.50	57.00	39.00	—
4	90.00	65.50	44.50	\$28.50
1 $\frac{1}{2}$	95.50	70.00	47.50	27.50
1 $\frac{1}{2}$	97.50	72.00	50.00	27.50
2	105.00	80.50	52.00	28.50
2 $\frac{1}{2}$	118.50	90.00	—	—
3	131.50	100.50	—	—
4	147.50	116.50	—	—

(10) RED OAK—QUARTERED

Thickness (inches)	FAS	No. 1 Common and Selects or No. 1 Common	No. 2 Common	Sound Wormy	No. 3A Common	No. 3B Common
1 $\frac{1}{2}$	\$67.00	\$46.50	\$34.00	\$33.00	—	—
2 $\frac{1}{2}$	75.50	52.00	37.00	37.00	—	—
3 $\frac{1}{2}$	85.00	57.00	41.50	40.50	—	—
4	97.50	65.50	46.50	45.50	\$32.00	\$21.00
1 $\frac{1}{2}$	108.00	71.00	50.00	50.00	—	—
1 $\frac{1}{2}$	113.50	76.50	53.00	54.00	—	—
2	124.00	81.50	55.00	57.00	—	—

(11) RED OAK—PLAIN

1 $\frac{1}{2}$	\$58.50	\$43.50	\$34.00	\$33.00	—	—
2 $\frac{1}{2}$	65.50	47.50	37.00	37.00	—	—
3 $\frac{1}{2}$	73.00	53.00	41.50	40.50	—	—
4	88.00	64.50	46.50	45.50	\$32.00	\$21.00
1 $\frac{1}{2}$	95.50	69.00	53.00	54.00	32.00	21.00
1 $\frac{1}{2}$	95.50	69.00	53.00	54.00	32.00	21.00
2	104.00	73.00	55.00	57.00	32.00	21.00
2 $\frac{1}{2}$	130.50	88.00	—	—	—	—
3	149.50	98.50	—	—	—	—
4	165.50	112.50	—	—	—	—

(12) WHITE OAK—QUARTERED

1 $\frac{1}{2}$	\$87.00	\$65.50	\$34.00	\$33.00	—	—
2 $\frac{1}{2}$	98.50	74.00	37.00	37.00	—	—
3 $\frac{1}{2}$	110.00	82.50	41.50	40.50	—	—
4	131.50	95.50	46.50	45.50	\$32.00	\$21.00
1 $\frac{1}{2}$	142.00	102.00	50.00	50.00	—	—
1 $\frac{1}{2}$	149.50	109.00	53.00	54.00	—	—
2	165.50	120.00	55.00	57.00	—	—

(13) WHITE OAK—PLAIN

1 $\frac{1}{2}$	\$76.50	\$45.50	\$34.00	\$33.00	—	—

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(15) YELLOW POPLAR—QUARTERED

Thickness (inches)	FAS	No. 1 common and selects or No. 1 common	No. 2A common	No. 2B common	No. 3 common
1/2	\$68.00	\$49.00	\$38.00	\$32.00	-----
5/8	77.50	55.00	42.50	35.00	-----
3/4	86.00	61.50	46.50	38.00	-----
1	99.50	70.00	53.00	43.50	\$24.50
1 1/4	106.00	74.00	55.00	44.50	25.50
1 1/2	109.00	77.50	57.00	45.50	25.50
2	122.00	83.50	60.50	46.50	26.50

(16) YELLOW POPLAR—PLAIN

Thickness (inches)	FAS	Saps and selects	No. 1 common and selects or No. 1 common	No. 2A common	No. 2B common	No. 3 common
1/2	\$64.50	\$60.50	\$46.50	\$38.00	\$32.00	-----
5/8	73.00	68.00	52.00	42.50	35.00	-----
3/4	81.50	74.00	57.00	46.50	38.00	-----
1	94.50	85.00	65.50	53.00	43.50	\$24.50
1 1/4	99.50	89.00	70.00	55.00	44.50	25.50
1 1/2	103.00	92.00	74.00	57.00	45.50	25.50
2	115.50	99.50	79.50	61.50	46.50	26.50
2 1/2	127.00	108.00	96.00	65.50	-----	-----
3	143.00	121.00	100.50	70.00	-----	-----
4	159.00	133.50	113.50	-----	-----	-----

(17) STRIPS

Species	Manufacture	Thickness (inch)	Width (inches)	Grade	
				Clear	No. 1 common
Red oak	Quartered	1	2 to 5 1/2	\$79.50	\$53.00
White oak	do	1	2 to 5 1/2	100.50	69.00

(18) CHESTNUT—WHAD

Thickness (inches)	FAS	No. 1 Common and Selects or No. 1 Common	Sound Wormy	No. 2 Common	No. 3 Common
1/2	\$63.50	\$65.50	\$37.00	-----	-----
5/8	73.00	73.00	41.50	-----	-----
3/4	81.50	79.50	45.50	-----	-----
1	136.50	90.00	52.00	\$41.50	\$26.50
1 1/4	142.00	95.50	56.00	41.50	27.50
1 1/2	142.00	95.50	57.00	41.50	27.50
2	147.50	100.50	62.50	41.50	28.50
2 1/2	-----	65.50	41.50	-----	-----
3	-----	71.00	41.50	-----	-----

(19) CHESTNUT—WHND

Thickness (inches)	FAS	No. 1 Common and better	No. 1 Common
1/2	\$50.00	\$44.50	\$42.50
5/8	55.00	49.00	46.50
3/4	60.50	53.00	51.00
1	71.00	62.50	58.50
1 1/4	73.00	67.00	62.50
1 1/2	76.50	68.00	63.50
2	81.50	73.00	69.00

2. In § 1382.68, paragraph (a) is amended as follows:

(a) *Ungraded hardwood lumber: Maximum prices.* The maximum prices for 1000 feet board measure for the full

product of the logs of ungraded North Central hardwood lumber, including yellow cypress, produced by saw mills, of any species or combination of species in green or dry condition are as follows:

Lumber cut to dry to:

Thicknesses of 1", 1 1/4" and 1 1/2"--- \$38.50
Thickness of 2"----- 35.00
Thicknesses over 2"----- 34.00

This amendment shall become effective July 26, 1946.

Issued this 26th day of July 1946.

PAUL A. PORTER,
Administrator.

[F. R. Doc. 46-12791; Filed, July 26, 1946;
3:28 p. m.]

PART 1360—MOTOR VEHICLES AND MOTOR VEHICLE EQUIPMENT

[MPR 610, Amdt. 1]

MAXIMUM PRICES FOR NEW TRUCKS AND NEW MOTORCYCLES

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Maximum Price Regulation 610 is amended in the following respects:

1. Section 5 (d) is amended by adding the following sentence at the end thereof: "The 'list price' if a new truck is exclusive of any charge for a fifth tire."

2. The date "October 15, 1941" is amended to read "March 31, 1942" wherever it appears in section 6 (b) (6) and section 7 (b) (8).

3. The first sentence in Step 2 in section 8 (f) (1) is amended to read as follows: "To these adjusted prices add the charges for outbound transportation, taxes, handling and delivery operations, and advertising, permitted by section 6 or 7."

4. A new section 9a is added to read as follows:

Sec. 9a. Adjustment of maximum prices. When maximum prices established under sections 6, 7, 8 or 9 impose a hardship on you, the manufacturer, the Administrator may adjust such prices to remove the hardship.

Adjustment of maximum prices in accordance with this section shall be considered when you make application for such adjustment. You shall indicate in your application the extent of the hardship being caused by existing maximum prices and the reasons for such hardship.

The Administrator may grant an adjustment on his own motion when he finds such action necessary to remove hardship.

5. Section 10 is amended in the following respects:

a. The headnote in paragraph (c) (1) is amended to read as follows:

(1) *When the manufacturer prepays freight charges for the new truck or new motorcycle.*

b. Paragraph (c) (2) is amended to read as follows:

(2) *When the manufacturer does not prepay freight charges—(i) In the case*

of new trucks—(a) *If delivery is by truckaway for the greater part of the distance from factory to place of delivery.* The truckaway charge at minimum truckload rate for the transportation of the new truck and extra or optional equipment by the most direct route from the factory to the location at which delivery is made to the purchaser plus transportation tax at the current legal rate; or

(b) *If delivery is by combination lake boat and truckaway.* The combination boat and truckaway charge for transportation of the new truck and extra or optional equipment by the most direct route from the factory to the location at which delivery is made to the purchaser plus transportation tax at the current legal rate; or

(c) *If delivery is by drive-away for the greater part of the distance from factory to place of delivery.* The drive-away charge for the type of drive-away used (single or dual) for the transportation of the truck and extra or optional equipment by the most direct route from the factory to the location at which delivery is made to the purchaser plus transportation tax at the current legal rate; or

(d) *All other methods of delivery.* The railway freight charge for a minimum carload rate apportioned by the weight of the new truck for the transportation of the truck and extra or optional equipment by the most direct route from the factory to the railroad freight receiving station nearest to the location at which delivery is made to the purchaser plus transportation tax at the current legal rate.

(ii) *In the case of new motorcycles.* The railway freight charge for the transportation of the new motorcycle and extra or optional equipment by the most direct route from the factory to the railroad freight receiving station nearest to the location at which delivery is made to the purchaser plus transportation tax at the current legal rate.

6. Section 11 is amended by adding the following paragraph (i):

(i) *Inland freight from the port of embarkation by the most direct route to the reseller's place of business.*

7. Section 17 is amended to read as follows:

Sec. 17. Adjustable pricing. Any person may agree to sell at a price which can be increased up to the maximum price at the time of delivery.

In addition, OPA may authorize a person to sell or deliver at maximum prices to be adjusted upwards after delivery or in the case where the manufacturer files an application under section 9, to sell or deliver at temporary maximum prices until maximum prices are established under section 9. This authorization may be given if the authorization is necessary to promote distribution or production and if it will not interfere with the purposes of the Emergency Price Control Act of 1942, as amended.

The authorization may be given by the Administrator or by any other official of the OPA having authority to act upon the pending request for a maximum

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price. This authorization will be given by order.

This amendment shall become effective July 26, 1946.

Issued this 26th day of July 1946.

PAUL A. PORTER,
Administrator.

[F. R. Doc. 46-12812; Filed, July 26, 1946;
4:39 p. m.]

PART 1362—CERAMIC PRODUCTS, STRUCTURAL CLAY PRODUCTS AND OTHER MASONRY MATERIALS

[RMPR 206, Amdt. 22]

VITRIFIED CLAY SEWER PIPE AND ALLIED PRODUCTS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Revised Maximum Price Regulation No. 206 is amended in the following respects:

1. Subparagraph (2) of section 4.1 (a) is amended to read as follows:

(2) In the case of sales of sewer pipe products sold f. o. b. factory on a "pick-up basis" or for "less-than-car-load shipments by rail" within the West Central Area, and Rocky Mountain Area, as defined below in sections 8.1, and 10.1, respectively, any manufacturer may increase his price in accordance with either of the following alternative pricing methods:

(i) By adding an amount not in excess of 24.5 percent to the highest prices charged by the manufacturer during the month of March 1942 for the same quality, kind, and quantity of sewer pipe products delivered to purchasers of the same class.

(ii) By adding amounts not in excess of such amounts as may be required to maintain discount differentials between prices established under this paragraph and those established by sections 8.4, and 10.4, at least as favorable as those existing during the month of March 1942 for the same quality, kind, and quantity of sewer pipe products delivered to purchasers of the same class.

2. Chart I of section 8.3 is amended to read as follows:

Discount No.	Arkansas	Kansas	Nebraska	Oklahoma
1.	47	49	47	49
3.	52	55	52	55
5.	31	31	28	31
6.			22	
7.	40	42	40	

3. Chart II of section 8.3 is amended to read as follows:

Discount No.	Minnesota zone No. 3	South Dakota zone No. 2	North Dakota
1.	37	37	37
2.	43	43	43
3.	43	43	43
4.	49	49	49
5.	18	18	18
6.	12	12	12
7.	24	24	24

4. Chart III of section 8.3 is amended to read as follows:

Discount No.	Missouri	Illinois zones Nos. 3 and 4	Wisconsin zone No. 3	Wisconsin zone No. 4	Minnesota zone No. 1	Minnesota zone No. 2	Duluth and Superior	Iowa zone No. 1	Iowa zone No. 2	South Dakota zone No. 1	
1.	34	38	34	32	31	29	31	26	38	31	29
2.	43	40	38	35	35	33	33	43	38	35	35
3.	43	40	38	35	35	33	33	43	38	35	35
4.	49	47	45	43	41	43	39	50	43	41	41
5.	18	15	13	13	11	18	14	18	15	11	11
6.	12	7	5	7	5	13	8	13	8	5	5
7.	28	21	18	20	17	25	21	28	22	17	17

5. Chart IV of section 8.4 (b) is amended to read as follows:

Large pipe, A. S. T. M. specification C13-44T, inside diameter (inches)	In-voice weight (per foot)	Arkan-sas	Kan-sas	Ne-braska	Oklahoma
27" #1 per foot	245#	\$3.25	\$3.25	\$3.25	\$3.25
30" #1 per foot	300#	3.90	3.90	3.90	3.90
33" #1 per foot	355#	4.65	4.65	4.65	4.65
36" #1 per foot	395#	5.20	5.20	5.20	5.20
27" #2 per foot	245#	2.60	2.60	2.60	2.60
30" #2 per foot	300#	3.15	3.15	3.15	3.15
33" #2 per foot	355#	3.75	3.75	3.75	3.75
36" #2 per foot	395#	4.40	4.40	4.40	4.40

6. Chart V of section 8.4 (d) (1) is amended to read as follows:

Large pipe, A. S. T. M. specification C13-44T inside diameter (inches)	Invoice weight (per foot)	Minne-sota zone No. 3	South Dakota zone No. 2	North Dakota
27" #1 per foot	245#	\$4.10	\$4.10	\$4.10
30" #1 per foot	300#	4.55	4.55	4.55
33" #1 per foot	355#	6.25	6.25	6.25
36" #1 per foot	395#	7.15	7.15	7.15
27" #2 per foot	245#	3.75	3.75	3.75
30" #2 per foot	300#	4.20	4.20	4.20
33" #2 per foot	355#	5.75	5.75	5.75
36" #2 per foot	395#	6.60	6.60	6.60

7. Chart VI of section 8.4 (d) (1) is amended to read as follows:

Large Pipe, A. S. T. M. specification C13-44T, inside diameter (inches)	Invoice weight (per foot)	Missouri and Illinois zones 3 and 4	Wisconsin zones 3 and 4	Minnesota zones 1, 2, and 4	Duluth, Minnesota, and Superior, Wis.	Iowa zones 1 and 2	South Dakota zone 1
27" #1 per foot	245#	\$3.90	\$4.10	\$4.10	\$4.10	\$4.10	\$4.10
30" #1 per foot	300#	4.30	4.45	4.45	4.45	4.45	4.45
33" #1 per foot	355#	6.00	6.15	6.15	6.15	6.15	6.15
36" #1 per foot	395#	6.80	7.10	7.10	7.10	7.10	7.10
27" #2 per foot	245#	3.55	3.70	3.70	3.70	3.70	3.70
30" #2 per foot	300#	3.90	4.10	4.10	4.10	4.10	4.10
33" #2 per foot	355#	5.50	5.65	5.65	5.65	5.65	5.65
36" #2 per foot	395#	6.30	6.55	6.55	6.55	6.55	6.55

* Add freight at Red Wing, Minn., rate to the extent that such rates exceed 20 cents per cwt.

8. Table A-1 of section 8.4 (e) (5) is amended to read as follows:

TABLE A-1—SEWER PIPE: A. S. T. M. SPECIFICATION C13-44T

Inside diameter (inches)	No. 1 straight pipe (per foot)	No. 2 straight pipe (per foot)
3" and 4"—2'-2½' length	\$0.1387	
6"-2'-2½' length	.1941	
8"-3'	.3000	\$0.272
10"-3'	.4200	.380
12"-3'	.5400	.489
15"-3'	.9000	.815
18"-3'	1.260	1.141
21"-3'	1.680	1.510
24"-3'	2.160	1.956

9. Table A-1 (a) of section 8.4 (e) (5) is amended to read as follows: Table A-1 (A)—Sewer Pipe, Extra Strength: A. S. T. M. Specification C200-44T.

Nominal diameter (inches)	No. 1 straight pipe (per foot)	No. 2 straight pipe (per foot)
4-2'-2½'-3' length	\$0.166	
6-2'-2½'-3' length	.250	
8-3' length	.360	\$0.325
10-3' length	.510	.462
12-3' length	.629	.571
15-3' length	1.020	.924
18-3'-4' length	1.560	1.413
21-3'-4' length	2.160	1.956
24-3'-4' length	2.760	2.500

10. Table A-2 of section 8.4 (e) (5) is amended to read as follows:

TABLE A-2—SEWER PIPE FITTINGS: A. S. T. M. SPECIFICATION C13-44T

Inside diameter (inches)	1/4 curve (each)	1/2 curve (each)	1 1/8 curve (each)	6" septic tank fittings (each)
3 and 4	\$0.555	\$0.555	\$0.555	
6	0.777	0.777	0.777	\$0.934
8	1.20	1.20	1.20	
10	1.68	1.68	1.68	
12	2.16	2.16	2.16	
15	7.12	3.56	3.56	
18	10.08	5.04	5.04	
21	13.44	6.72	6.72	
24	17.28	8.64	8.64	

11. Table A-2 (a) of section 8.4 (e) (5) is amended to read as follows:

TABLE A-2 (A)—SEWER PIPE FITTINGS, EXTRA STRENGTH: A. S. T. M. SPECIFICATION C200-44T

Nominal diameter (inches)	Curves and elbows (each)	1/4 curves and elbows (each)	1/2 curves and elbows (each)	Y's or T's 3' long (each)	Double Y's or T's 3' long (each)	12" x 12" Y's or T's 3' long (each)
4	\$0.666			\$0.666		
6	.998			.998		
8	1.44			1.80	\$2.52	
10	2.04			2.55	3.57	
12	2.52			3.15	4.41	\$4.05
15		\$4.08	\$8.16	5.10	10.71	
18		6.24	12.48	7.80	16.38	
21		8.64	17.28	10.80	22.68	
24		11.04	22.08	13.80	28.98	

12. Table A-3 of section 8.4 (e) (5) is amended to read as follows:

TABLE A-3—SEWER PIPE FITTINGS: A. S. T. M. SPECIFICATION C13-44T

Inside diameter (inches)	Y's or T's 2' long (each)	Y's or T's 3' long, inlets 12" and under (each)	Y's or T's 3' long, inlets 15" and larger (each)	Double Y's or T's 2' long (each)
3 and 4	\$0.555			
6	.777			1.16
8		\$1.50		
10		2.10		
12		2.70		
15		4.50		
18		6.30	9.45	
21		8.40	12.60	
24		10.80	16.20	

13. Table A-4 of section 8.4 (e) (5) is amended to read as follows:

TABLE A-4—SEWER PIPE FITTINGS: A. S. T. M. SPECIFICATION C13-44T

Inside diameter (inches)	Double Y's or T's 3' long (each)	12" x 12" Y's or T's (each)	Traps (each)	Increases and decreases
3 and 4				\$1.387 \$0.555
6				1.94 0.777
8	\$2.10			3.60 1.20
10	2.94			5.04 1.68
12	3.78	4.24	6.48	2.16
15	6.30			3.60
18	8.82			5.04
21	11.76			6.72
24	15.12			8.64

14. Table A-5 of section 8.4 (e) (5) is amended to read as follows:

TABLE A-5—SEWER PIPE FITTINGS: A. S. T. M. SPECIFICATION C13-44T

Inside diameter (inches)	Saddles and slants	Breeches	Strainers	Stoppers
3 and 4	\$0.555	\$0.832	\$0.0674	\$0.0448
6	.777	1.16	.0815	.0598
8	1.20	2.10	.349	.2179
10	1.68	2.94	.523	.3051
12	2.16	3.78	.697	.4483
15	3.60	6.30		.6962
18	5.04	8.82		
21	6.72	11.76		
24	8.64	15.12		

15. Table A-6 of section 8.4 (e) (5) is amended to read as follows:

TABLE A-6—GUTTER PIPE, CONDUIT PIPE, AND WELL PIPE

Inside Diameter (inches)	Channel split or gutter pipe (per split foot)	Whole split or conduit pipe (per whole foot)	Well tubing and air pipe (per foot)
3" and 4"—2'-2½' length	\$0.0869	\$0.1739	\$0.1387
6"—2'-2½' length	.1195	.2391	.1941
8"—3' length	.1920	.3840	.3000
10"—3' length	.2640	.5280	
12"—3' length	.3360	.6720	.54
15"—3' length	.5640	1.1279	.90
18"—3' length	.7919	1.5839	1.26
21"—3' length	1.050	2.10	1.68
24"—3' length	1.350	2.70	2.16

16. Table A-7 of section 8.4 (e) (5) is amended to read as follows:

TABLE A-7—LARGE SEWER PIPE: A. S. T. M. SPECIFICATION C13-44T

Inside diameter (inches)	No. 1 straight pipe (per foot)	No. 2 straight pipe (per foot)	Well tubing and air pipe (per foot)
27—3' and 4' length	\$2.72	\$2.09	\$2.72
30—3' and 4' length	3.40	2.60	3.40
33—3' and 4' length	4.41	3.57	4.41
36—3' and 4' length	4.92	3.91	4.92

17. Table A-8 of section 8.4 (e) (5) is amended to read as follows:

TABLE A-8—LARGE SEWER PIPE FITTINGS: A. S. T. M. SPECIFICATION C13-44T

Inside diameter (inches)	Y's or T's—3' 6"	Y's or T's—3' 8"	Y's or T's—3' 10"	Y's or T's—3' 12"
27	\$11.21	\$11.80	\$14.38	\$15.62
30	12.68	13.92	16.41	17.66
33	15.73	16.98	19.47	20.72
36	17.26	18.51	21.00	22.24

18. Table A-9 of section 8.4 (e) (5) is amended to read as follows:

TABLE A-9—LARGE SEWER PIPE FITTINGS: A. S. T. M. SPECIFICATION C13-44T

Inside diameter (inches)	Y's or T's, 3' 15" inlet (each)	Y's or T's, 3' 18" inlet (each)	Y's or T's, 2' 21" inlet (each)	Y's or T's, 3' 24" inlet (each)	Increases and decreases (each)	Saddles and slants (each)
27	\$18.11	\$20.60	\$26.83	\$30.54	\$16.47	\$16.47
30	20.15	22.64	28.87	35.09	20.21	20.21
33	23.21	25.70	31.92	38.15	26.55	26.55
36	24.73	27.22	33.45	39.68	29.55	29.55

19. Table A-10 of section 8.4 (e) (5) is amended to read as follows:

TABLE A-10—VITRIFIED SALT GLAZED WALL COPING—DOUBLE SLANT

Size	Straight coping per foot	Corners (each)	Closed ends and starters (each)	T's (each)
9", 2' length	\$0.187	\$0.75	\$0.75	\$0.934
13", 2' length	.261	1.05	1.05	1.307
18", 2' length	.448	1.79	1.79	2.24

16" and 12" lengths priced as 1 foot of pipe. 18" lengths priced as 2 feet of pipe.

20. Table A-11 of section 8.4 (e) (5) is amended to read as follows:

TABLE A-11—SQUARE FIRE CLAY FLUE LINING

Size (outside dimensions):	Price (per foot)
4½" x 8½"—2' length	\$0.207
8½" x 8½"—2' length	.276
4½" x 13"—2' length	.311
8½" x 13"—2' length	.414
13" x 13"—2' length	.518
8½" x 17½"—2' length	.552
13" x 17½"—2' length	.69
17½" x 17½"—2' length	.898

21. Table A-12 of section 8.4 (e) (5) is amended to read as follows:

TABLE A-12—ROUND FIRE CLAY FLUE LINING (CHIMNEY PIPE AND THIMBLES)

Diameters (inside dimensions)	Prices (per foot)	T's—2' (each)	Thimbles (each)
6"—2' length	\$0.1941	\$0.777	\$0.1941
7" thimbles	.30	1.20	.30
8" thimbles	.42		.42
10" 2' length	.42	1.68	.42
12" 2' length	.54	2.16	.54
15" 2' length	.90	3.60	.90
18" 2' length	1.26	5.04	1.26
21" 2' length	1.68	6.72	1.68
24" 2' length	2.16	8.64	2.16

Thimbles made 4½", 6", 9", and 12" long.

22. Table B-1 of section 8.4 (e) (5) is amended to read as follows:

TABLE B-1—SEWER PIPE A. S. T. M. SPECIFICATION C13-44T NO. 1 AND NO. 2

Inside diameter (inches)	No. 1 straight pipe (per foot)	No. 2 straight pipe (per foot)
3" and 4"—2'—2½' length	\$0.1613	
6"—2'—2½' length	.2258	
8"—2'—2½' length	.351	\$0.32
10"—2'—2½' length	.491	.444
12"—2'—2½' length	.632	.571
15"—2'—2½' length	1.053	.951
18"—2'—2½' length	1.474	1.331
21"—2'—2½' length	1.965	1.775
24"—2'—2½' length	2.527	2.282

23. Table B-1 (a) of section 8.4 (e) (5) is amended to read as follows:

TABLE B-1 (A)—SEWER PIPE, EXTRA STRENGTH A. S. T. M. SPECIFICATION C200-44T

Nominal diameter (inches)	No. 1 straight pipe (per foot)	No. 2 straight pipe (per foot)
4—2'-2½'-3' length	\$0.194	
6—2'-2½'-3' length	.2904	
8—3' length	.421	\$0.38
10—3' length	.597	.539
12—3' length	.737	.666
15—3' length	1.193	1.078
18—3'—4' length	1.825	1.648
21—3'—4' length	2.527	2.282
24—3'—4' length	3.228	2.916

24. Table B-2 of section 8.4 (e) (5) is amended to read as follows:

TABLE B-2—SEWER PIPE FITTINGS A. S. T. M. SPECIFICATION C13-44T

Inside diameter (inches)	¼ curve (each)	½ curve (each)	¾ curve (each)	6" septic tank fittings (each)
3 and 4	\$0.65	\$0.65	\$0.65	
6	.903	.903	.903	\$0.903
8	1.404	1.404	1.404	
10	1.97	1.97	1.97	
12	2.53	2.53	2.53	
15	3.42	4.21	4.21	
18	11.79	5.195	5.195	
21	15.72	7.86	7.86	
24	20.212	10.106	10.106	

¹ See special column for 12" x 12".

² See next column.

25. Table B-2 (a) of section 8.4 (e) (5) is amended to read as follows:

TABLE B-2 (A)—SEWER PIPE FITTINGS, EXTRA STRENGTH A. S. T. M. SPECIFICATIONS C200-44T

Nominal diameter (inches)	Curves and elbows (each)	¼ curves and elbows (each)	½ curves and elbows (each)	¾ curves and elbows (each)	Double Y's or T's 3' long (each)	12" x 12" Y's or T's 3' long (each)
4	\$0.774				\$0.774	
6	1.16				2.11	\$2.05
8	1.684				2.983	4.18
10	2.39				3.685	5.16
12	2.95				5.97	12.53
15	4.773	\$0.546			9.12	19.16
18	7.30	14.60			20.72	44.52
21	10.106	20.212			22.63	48.53
24	12.91	25.82			16.14	33.90

¹ 14" Y's or T's, 1 foot length only.

² 6" Y's or T's, 1½ feet length only.

26. Table B-3 of section 8.4 (e) (5) is amended to read as follows:

TABLE B-3—SEWER PIPE FITTINGS A. S. T. M. SPECIFICATION C13-44T

Inside diameter (inches)	Double Y's or T's 3' long (each)	12" x 12" Y's or T's 3' long (each)	Traps (each)	Increasers and decreasers (each)
3 and 4				\$1.64
6				2.30 .903
8	\$2.46			4.21 1.404
10	3.44			5.60 1.97
12	4.43	1 \$5.32		7.58 2.53
15	7.37			4.21
18	10.31			5.895
21	13.75			7.86
24	17.68			10.106

Inside diameter (inches)	Saddles and slants (each)	Breeches (each)	Strainers (each)	Stoppers (each)
3 and 4	\$0.05	\$0.06	\$0.0906	\$0.0736
6	.903	1.36	.1245	.0906
8	1.404	2.46	.566	.374
10	1.97	3.44	1.12	.566
12	2.53	4.43	1.44	.87
15	4.21	7.37		1.12
18	5.895	10.31		
21	7.86	13.75		
24	10.106	17.68		

¹See B-2.

27. Table B-4 of section 8.4 (e) (5) is amended to read as follows:

TABLE B-4—GUTTER PIPE, CONDUIT PIPE AND WELL PIPE

Inside diameter (inches)	Channel split or gutter pipe (per foot)	Whole split or conduit pipe (per foot)	Well tubing and air pipe (per foot)
3 and 4	\$0.1245	\$0.249	
6	.174	.348	
8	.274	.548	\$0.351
10	.386	.772	.491
12	.486	.972	.632
15	.8105	1.621	1.05
18	1.132	2.264	1.47
21	1.49	2.98	1.965
24	1.94	3.88	2.53

28. Table B-5 of section 8.4 (e) (5) is amended to read as follows:

TABLE B-5—LARGE SEWER PIPE: A. S. T. M. SPECIFICATIONS C13-44T

Inside diameter (inches)	No. 1 straight pipe (per foot)	No. 2 straight pipe (per foot)
27", 3' and 4' length	\$3.17	\$2.55
30", 3' and 4' length	3.91	3.17
33", 3' and 4' length	5.04	4.19
36", 3' and 4' length	5.60	4.64

29. Table B-6 under section 8.4 (e) (5) is amended to read as follows:

TABLE B-6—LARGE SEWER PIPE FITTINGS: A. S. T. M. SPECIFICATION C13-44T

Inside diameter (inches)	Y's or T's, 3' 6" inlet (each)	Y's or T's, 3' 8" inlet (each)	Y's or T's, 3' 10" inlet (each)	Y's or T's, 3' 12" inlet (each)
27	\$12.68	\$13.24	\$15.73	\$16.98
30	14.21	15.45	17.94	19.19
33	17.60	18.85	21.34	22.58
36	19.30	20.55	23.04	24.28

TABLE B-6—LARGE SEWER PIPE FITTINGS A. S. T. M. SPECIFICATION C13-44T—Continued

Inside diameter (inches)	Y's or T's, 3' 15" inlet (each)	Y's or T's, 3' 18" inlet (each)	Y's or T's, 3' 21" inlet (each)	Y's or T's, 3' 24" inlet (each)
27	\$19.47	\$21.96	\$28.19	\$34.41
30	21.68	24.17	30.39	36.62
33	25.07	27.56	33.79	40.02
36	26.77	29.26	35.49	41.71

30. Table B-7 of section 8.4 (e) (5) is amended to read as follows:

TABLE B-7—LARGE SEWER PIPE FITTINGS: A. S. T. M. SPECIFICATION C13-44T

Inside diameter (inches)	Decreasers and increasers and 1/4 curves (each)	Well tubing and air pipe (per foot)	Saddles and slants (each)
27" - 3' and 4' length	\$19.07	\$3.17	\$19.07
30" - 3' and 4' length	23.55	3.91	23.55
33" - 3' and 4' length	30.28	5.04	30.28
36" - 3' and 4' length	33.68	5.60	33.68

31. Table C-1 of section 8.4 (e) (5) is amended to read as follows:

TABLE C-1 SEWER PIPE: A. S. T. M. SPECIFICATION C13-44T NO. 1 AND NO. 2

Inside diameter (inches)	No. 1 straight pipe (per foot)	No. 2 straight pipe (per foot)
3" and 4" - 2' - 2 1/2' length	\$0.175	
6" - 2' - 2 1/2' length	.25	
8" - 3' length	.396	\$0.368
10" - 3' length	.555	.515
12" - 3' length	.713	.662
15" - 3' length	1.19	1.10
18" - 3' length	1.66	1.55
21" - 3' length	2.22	2.06
24" - 3' length	2.85	2.65

32. Table C-1 (a) of section 8.4 (e) (5) is amended to read as follows:

TABLE C-1 (a)—SEWER PIPE, EXTRA STRENGTH: A. S. T. M. SPECIFICATION C200-44T

Nominal diameter (inches)	No. 1 straight pipe (per foot)	No. 2 straight pipe (per foot)
4	\$0.211	
6	.321	
8	.475	\$0.441
10	.674	.625
12	.832	.773
15	1.35	1.251
18	2.06	1.91
21	2.85	2.65
24	3.65	3.38

33. Table C-2 of section 8.4 (e) (5) is amended to read as follows:

Table C-2—Sewer Pipe Fittings: A. S. T. M. Specification C13-44T

Inside diameter (inches)	1/4 curve (each)	3/4 curve (each)	5/8 curve (each)	2" septic tank fittings (each)	Y's or T's 3' 2" long inlets (each)	Y's or T's 3' 12" and under (each)
3 and 4	\$0.815	\$0.815	\$0.815	\$0.815		
6	1.16	1.16	1.16	\$1.375	1.16	
8	1.58	1.58	1.58			\$1.98
10	2.22	2.22	2.22			2.77
12	2.85	2.85	2.85			3.57
15	9.51	4.755	4.755			5.94
18	13.81	6.655	6.655			8.32
21	17.75	8.875	8.875			11.09
24	22.82	11.41	11.41			14.26

34. Table C-2 (a) of section 8.4 (e) (5) is amended to read as follows:

TABLE C-2 (a)—SEWER PIPE FITTINGS, EXTRA STRENGTH: A. S. T. M. SPECIFICATION C200-44T

Nominal diameter (inches)	Curves and elbows (each)	1/4 curves and elbows (each)	3/4 curves and elbows (each)	Y's or T's 3' long inlets (each)	Double Y's or T's 3' long inlets (each)	12" x 12" Y's or T's 3' long inlets (each)
4	\$0.978					\$0.864
6	1.457					1.457
8	1.90					2.38
10	2.69					3.37
12	3.33					4.16
15				\$5.39	\$10.78	6.74
18				8.24	16.48	14.14
21				11.41	22.82	20.95
24				14.58	29.16	38.27

1 4" Y's or T's, 1 foot length only.

2 6" Y's or T's, 1 1/2 feet length only.

35. Table C-3 of section 8.4 (e) (5) is amended to read as follows:

TABLE C-3—SEWER PIPE FITTINGS: A. S. T. M. SPECIFICATION C13-44T

Inside diameter (inches)	T's or Y's 3' long inlets 15" and larger (each)	Double Y's or T's 2' long (each)	Double Y's or T's 3' long (each)	12" x 12" Y's or T's (each)	Traps (each)	Increases or decreases (see description below)
3 and 4	\$1.05					\$2.07
6	1.50					2.81
8	1.58					3.18
10	2.22					3.88
12	2.85					4.99
15	\$8.914					5.32
18	12.48					11.65
21	16.64					15.53
24	21.39					19.97

36. Table C-4 of section 8.4 (e) (5) is amended to read as follows:

TABLE C-4—SEWER PIPE FITTINGS: A. S. T. M. SPECIFICATION C13-44T

Inside diameter (inches)	Saddles and slants (each)	Breeches (each)	Strainers (each)	Stoppers (each)
3" and 4" - 2' - 2 1/2' length	\$0.1245	\$0.249		
6" - 2' - 2 1/2' length	.174	.348		
8" - 3' length	.274	.566		
10" - 3' length	.386	.772		
12" - 3' length	.486	.972		
15" - 3' length	.8105	1.621		
18" - 3' length	1.132	2.264		
21" - 3' length	1.49	2.98		
24" - 3' length	1.94	3.88		

38. Table C-6 of section 8.4 (e) (5) is amended to read as follows:

TABLE C-6—LARGE SEWER PIPE: A. S. T. M. SPECIFICATION C13-44T

Inside diameter (inches)	No. 1 straight pipe (per foot)	No. 2 straight pipe (per foot)	Well tubing and air pipe (per foot)
27", 3' and 4' length	\$3.85	\$3.45	\$3.85
30", 3' and 4' length	4.87	4.02	4.87
33", 3' and 4' length	6.34	4.87	6.34
36", 6' and 4' length	7.47	5.77	7.47

39. Table C-7 of section 8.4 (e) (5) is amended to read as follows:

TABLE C-7—LARGE SEWER PIPE FITTINGS: A. S. T. M. SPECIFICATION C13-44T

Inside diameter (inches)	Y's or T's, 6" inlet (each)	Y's or T's, 8" inlet (each)	Y's or T's, 10" inlet (each)	Y's or T's, 12" inlet (each)	Y's or T's, 15" inlet (each)
27	\$14.60	\$15.28	\$17.77	\$19.02	\$21.51
30	17.09	18.34	20.83	22.07	24.56
33	21.51	22.75	25.24	26.49	28.98
36	24.90	26.15	28.64	29.88	32.38

40. Table C-3 of section 8.4 (e) (5) is amended to read as follows:

TABLE C-8—LARGE SEWER PIPE FITTINGS: A. S. T. M. SPECIFICATION C13-44T

Inside diameters (inches)	Y's or T's, 3' 18" inlet (each)	Y's or T's, 3' 21" inlet (each)	Y's or T's, 3' 24" inlet (each)	Increas- ers, de- creas- ers and 1/4 curve (each)	Sad- dles and slants (each)
27	\$24.00	\$30.22	\$36.45	\$23.21	\$23.21
30	27.05	33.28	39.51	29.15	29.15
33	31.47	37.70	43.92	38.15	38.15
36	34.87	41.09	47.32	44.88	44.88

41. Table C-9 of section 8.4 (e) (5) is amended to read as follows:

TABLE C-9—VITRIFIED SALT-GLAZED WALL COPING (DOUBLE SLANT)

Size	Straight coping (per foot) ¹	Corners (see description below)	Closed ends and starters (each)	T's (each)
9", 2' length	\$0.2745	\$1.10	\$1.10	\$1.373
13", 2' length	.3843	1.537	1.537	1.922
18", 2' length	.6384	2.554	2.554	3.192

¹ 6" and 12" lengths priced as 1 foot of pipe; 18" lengths priced as 2 feet of pipe.

42. Table C-10 of section 8.4 (e) (5) is amended to read as follows:

TABLE C-10—SQUARE FIRE CLAY FLUE LINING

Size—outside dimensions (inches):

	Price (per foot)
4 1/2" x 8 1/2"—2' length	\$0.299
8 1/2" x 8 1/2"—2' length	.412
4 1/2" x 13"—2' length	.448
8 1/2" x 13"—2' length	.584
13" x 13"—2' length	.722
8 1/2" x 17"—2' length	.788
13" x 17 1/2"—2' length	.962
17 1/2" x 17 1/2"—2' length	1.221

43. Table C-11 of section 8.4 (e) (5) is amended to read as follows:

TABLE C-11—ROUND FIRE CLAY FLUE LINING, CHIMNEY PIPE AND THIMBLES

Inside dimensions (inches)	Prices per foot ¹		Thim- bles (each)
	With- out hole	With hole	
6"–2' length	\$0.27	\$0.31	\$1.09
7" thimbles			.50
8"–2' length	.43	.57	1.72
9" thimbles			.69
10"–2' length	.61	.75	2.45
12"–2' length	.77	1.00	3.08
15"–2' length	1.27	1.56	5.07
18"–2' length	1.75	2.18	7.02
21"–2' length	2.38	2.84	9.51
24"–2' length	3.01	3.43	12.04

¹ Add 50 percent to list if inlets or holes are 15 inches or larger.

44. Section 8.5 is amended to read as follows:

SEC. 8.5 *Maximum prices for resellers of sewer pipe products.* Any reseller purchasing sewer pipe products for resale in the same form may add to his maximum prices established under the General Maximum Price Regulation, as follows:

(a) An amount not exceeding the dollars-and-cents increase in cost to him resulting from an increase in maximum prices permitted manufacturers by sections 4.1, 8.3, and 8.4, of this regulation, prior to June 30, 1946.

(b) An amount not exceeding the percentage increase in cost to him resulting from an increase in maximum prices permitted manufacturers by sections 4.1, 10.3 and 10.4, of this regulation, after June 30, 1946.

Notwithstanding the provisions of (a) and (b) above, however, in any area where specific maximum prices are fixed by an area pricing order, such specific maximum prices shall apply in that area.

45. A new section 8.6 is added to read as follows:

SEC. 8.6 *Manufacturers' individual price adjustments.* Any individual price adjustments granted prior to July 26, 1946 by the Price Administrator or any Regional Administrator to any manufacturer of the products set forth in this Article VIII above are hereby revoked.

46. Chart I of section 10.3 is amended to read as follows:

Discount No.	Nevada zone 2	Montana zone 2	Montana zone 3	Montana zone 4
1	13	17	22	25
2	13	17	22	25
3	9	17	22	25
4	9	17	22	25
5	25	30	34	38
6	22	30	34	38
7	22	30	34	38
8	plus 3	17	17	18
10	6	17	17	18
11	5	17	17	18
12		17	17	18
13		17	17	18
14		17	17	18
15		5	5	6
16		5	5	6
17		5	5	6
18		5	5	6
19		5	5	6

47. Chart II of section 10.3 is amended to read as follows:

Discount No.	Utah: Salt Lake and Davis Counties	Utah: Webber and Utah Counties	Colorado: Denver County
1	21	15	25
2	17	15	25
3	14	13	28
4	13	13	25
5	35	30	—
6	35	33	—
7	31	30	—
8	31	30	—

48. Chart III of section 10.3 is amended to read as follows:

Discount No.	Colorado and New Mexico	Arizona zone 2, Wyoming zone 3
1	33	33
2	33	33
3	35	35
4	38	38
5	55	55
6	55	55
7	50	60
8	43	43
9	25	25
10	25	25
11	33	33
12	35	35
13	35	35
14	38	38
15	List	List
16	Plus 6	Plus 6
17	33	33
18	35	35
19	38	38

49. Chart IV of section 10.3 is amended to read as follows:

Discount No.	Utah (entire State), Idaho zone 3, Wyoming zone 1, Nevada zone 2
1	—
2	—
3	—
4	—
5	—
6	—
7	—
8	—
9	—
10	—
11	—
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FEDERAL REGISTER, Tuesday, July 30, 1946

chasing sewer pipe products for resale in the same form may add to his maximum prices established under the General Maximum Price Regulation, as follows:

(a) An amount not exceeding the dollars-and-cents increase in cost to him resulting from an increase in maximum prices permitted manufacturers by section 4.1, 10.3 and 10.4, of this regulation, prior to June 30, 1946.

(b) An amount not exceeding the percentage increase in cost to him resulting from an increase in maximum prices permitted manufacturers by section 4.1, 10.3 and 10.4, of this regulation, after June 30, 1946.

Notwithstanding the provisions of (a) and (b) above, however, in any area where specific maximum prices are fixed by an area pricing order, such specific maximum prices shall apply in that area.

51. A new section 10.6 is added to read as follows:

SEC. 10.6 *Manufacturers' individual price adjustments.* Any individual price adjustments granted prior to July 26, 1946 by the Price Administrator or any Regional Administrator to any manufacturer of the products set forth in this Article X above are hereby revoked.

This amendment shall become effective July 26, 1946.

Issued this 26th day of July 1946.

PAUL A. PORTER,
Administrator.

[F. R. Doc. 46-12794; Filed, July 26, 1946;
3:32 p. m.]

amended to become effective on August 1, 1946, instead of July 1, 1946, the effective date contained therein.

Issued and effective July 26, 1946.

PAUL A. PORTER,
Administrator.

[F. R. Doc. 46-12824; Filed, July 26, 1946;
4:42 p. m.]

PART 1381—SOFTWOOD LUMBER

[2d Rev. MPR 19; Amdt. 17]

SOUTHERN PINE LUMBER

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

1. Appendix A—Article IV is amended as follows:

a. Table 9 is amended to read as follows (the footnotes remain unchanged):

TABLE 9A—CAR MATERIAL, OTHER THAN DECKING AND FRAMING DRESSED TO PATTERN—KILN DRIED

Size and grade	8' lengths	9' lengths	5' and 10' lengths	12' lengths	14' lengths	16' lengths	18' and 20' lengths	22' and 24' lengths	Size and grade	8' lengths	9' lengths	5' and 10' lengths	12' lengths	14' lengths	16' lengths	18' and 20' lengths	22' and 24' lengths
Select (par. 51 AAR Rules): ²									Select (par. 53-55-50-62 AAR Rules): ³								
1 x 4" and 1 x 6"	\$66.00	\$73.00	\$68.00	\$70.00	\$73.00	\$75.00	\$81.00	\$93.00	2 x 4"	\$70.00	\$75.00	\$70.00	\$70.00	\$75.00	\$80.00	\$90.00	
Common (par. 52 AAR Rules): ²	56.00	63.00	58.00	60.00	63.00	65.00	71.00	83.00	2 x 6"	75.00	80.00	75.00	75.00	80.00	85.00	95.00	
1 x 4" and 1 x 6"	74.00	81.00	76.00	78.00	81.00	88.00	93.00	101.00	2 x 8"	78.00	83.00	78.00	78.00	83.00	88.00	98.00	
Select (par. 55-59-62, AAR Rules): ³	66.00	73.00	68.00	70.00	73.00	75.00	81.00	93.00	2 x 10"	83.00	88.00	83.00	83.00	88.00	93.00	103.00	
1 x 4", 1 x 6" and 1 x 8"	90.00	97.00	92.00	94.00	97.00	99.00	105.00	117.90	2 x 12"	98.00	103.00	98.00	98.00	103.00	108.00	118.00	
Common (par. 56 AAR Rules): ³	56.00	63.00	58.00	60.00	63.00	65.00	71.00	83.00	Common (par. 54-56-60 AAR Rules): ³	55.00	57.00	55.00	55.00	55.00	58.00	60.00	70.00
1 x 4", 1 x 6" and 1 x 8"	64.00	71.00	66.00	68.00	71.00	73.00	79.00	91.00	2 x 4"	60.00	62.00	60.00	60.00	63.00	65.00	75.00	
1 x 10"	80.00	87.00	82.00	84.00	87.00	89.00	95.00	107.00	2 x 6"	64.00	66.00	64.00	64.00	67.00	69.00	79.00	
Common (par. 60 AAR Rules): ³	46.00	53.00	48.00	50.00	53.00	55.00	58.00	70.00	2 x 8"	72.00	74.00	72.00	72.00	75.00	77.00	87.00	
1 x 4", 1 x 6" and 1 x 8"	54.00	61.00	56.00	58.00	61.00	63.00	66.00	78.00	2 x 10"	88.00	90.00	88.00	88.00	91.00	93.00	103.00	
1 x 12"	70.00	77.00	72.00	74.00	77.00	79.00	82.00	94.00	2 x 12"								

b. Table 9A is amended to read as follows (the footnotes remain unchanged):

TABLE 9A—CAR MATERIAL, FLOORING (DECKING), FLOOR BOARDS AND DOOR SILLS
[Dressed to all patterns, kiln dried or air dried]

Size and grades	8' lengths	9' lengths	10' lengths	12' lengths	14' lengths	16' lengths	Size and grades	8' lengths	9' lengths	10' lengths	12' lengths	14' lengths	16' lengths
Select (par. 57 AAR Rules): ³	\$75.00	\$80.00	\$75.00	\$75.00	\$75.00	\$80.00	Common (par. 58 AAR Rules): ³	\$55.50	\$57.50	\$55.50	\$55.50	\$55.50	\$58.50
2 x 6 and 2 x 8"	80.00	85.00	80.00	80.00	80.00	85.00	2 x 6" and 2 x 8"	58.50	60.50	58.50	58.50	58.50	61.50
2 1/2 and 2 1/2 x 6" and 8"	85.00	90.00	85.00	85.00	85.00	90.00	2 1/2, 2 1/2 and 3 x 6" and 8"						

c. Table 9B is amended to read as follows (the footnotes remain unchanged):

TABLE 9B—CAR MATERIAL, FRAMING SPECIFIED OR RANDOM LENGTHS, 20' AND SHORTER
[Rough green]

Size	Group 7		Group 8		Group 9				Group 10			
	Par. 64	Par. 64	Par. 65	Par. 66	Par. 67	Par. 68	Par. 69	Par. 69	Par. 70	Par. 71	Par. 72	Par. 72
Dense common	Dense common	Dense select structural	Close grain select structural	Close grain select structural	Dense common structural	Dense common structural	Non-Dense common structural	Dense select structural	Close grain select structural	Dense common structural	Dense common structural	Non-dense common structural
2" to 4" x 2" to 8"	\$50.00	\$45.00	\$58.00	\$56.00	\$58.00	\$56.00	\$52.00	\$47.00	\$58.00	\$56.00	\$51.00	\$46.00
2" to 4" x 8 1/4" to 10"	55.00	51.00	64.00	62.00	64.00	62.00	58.00	53.00	64.00	62.00	57.00	52.00
2" to 4" x 10 1/4" to 12"	63.00	58.00	71.00	69.00	71.00	69.00	65.00	60.00	71.00	69.00	64.00	59.00
2" to 4" x 12 1/4" to 14 1/4"	73.00	68.00	81.00	79.00	81.00	79.00	75.00	70.00	81.00	79.00	74.00	69.00

¹ 11 F.R. 4000, 4163, 4730, 5542, 5954, 5825, 5951, 5952, 6763, 7424, 7426.

² 9 F.R. 11486, 12843; 10 F.R. 458, 1146, 3467, 8936, 9084, 10028, 11858, 12846, 14186, 14693; 11 F.R. 1888, 3601.

2. Appendix B—Article V is amended as follows:

a. Table 22 is amended to read as follows (the footnotes remain unchanged):

TABLE 22!—CAR MATERIAL, OTHER THAN DECKING AND FRAMING DRESSED TO PATTERN

[Kiln dried]

Size and grade	8' lengths	9' lengths	10' lengths	12' lengths	14' lengths	16' lengths	18' and 20' lengths	22' and 24' lengths	Size and grade	8' lengths	9' lengths	10' lengths	12' lengths	14' lengths	16' lengths	18' and 20' lengths	22' and 24' lengths
Select (par. 51 AAR Rules): ²									Select (par. 53-55-59-62 AAR Rules): ²								
1 x 4 and 1 x 6.	\$66.00	\$73.00	\$68.00	\$70.00	\$73.00	\$75.00	\$81.00	\$93.00	2 x 4.	\$78.00	\$83.00	\$78.00	\$78.00	\$83.00	\$88.00	\$98.00	
Common (par. 52 AAR Rules): ²	61.00	68.00	63.00	65.00	68.00	70.00	76.00	88.00	2 x 6.	83.00	88.00	83.00	83.00	88.00	93.00	103.00	
1 x 4 and 1 x 6.									2 x 8.	83.00	88.00	83.00	83.00	88.00	93.00	103.00	
Select (par. 55-59-62 AAR Rules): ²									2 x 10.	91.00	96.00	91.00	91.00	96.00	101.00	111.00	
1 x 4, 1 x 6, and 1 x 8.	66.00	73.00	68.00	70.00	73.00	75.00	81.00	93.00	2 x 12.	106.00	111.00	106.00	106.00	111.00	116.00	126.00	
1 x 10.	74.00	81.00	76.00	78.00	81.00	83.00	89.00	101.00	Common (par. 54-56-60 AAR Rules): ²								
1 x 12.	90.00	97.00	92.00	94.00	97.00	99.00	105.00	117.00	2 x 4.	60.00	62.00	60.00	60.00	63.00	65.00	75.00	
Common (par. 56 AAR Rules): ²									2 x 6.	65.00	67.00	65.00	65.00	68.00	70.00	80.00	
1 x 4, 1 x 6, and 1 x 8.	61.00	68.00	63.00	65.00	68.00	70.00	76.00	88.00	2 x 8.	65.00	67.00	65.00	65.00	68.00	70.00	80.00	
1 x 10.	69.00	76.00	71.00	73.00	76.00	78.00	84.00	96.00	2 x 10.	73.00	75.00	73.00	73.00	76.00	78.00	88.00	
1 x 12.	85.00	92.00	87.00	89.00	92.00	94.00	100.00	112.00	2 x 12.	89.00	91.00	89.00	89.00	92.00	94.00	104.00	
Common (par. 60 AAR Rules): ²																	
1 x 4, 1 x 6, and 1 x 8.	51.00	58.00	53.00	55.00	58.00	60.00	63.00	75.00									
1 x 10.	59.00	66.00	61.00	63.00	66.00	68.00	71.00	83.00									
1 x 12.	75.00	82.00	77.00	79.00	82.00	84.00	87.00	99.00									

b. Table 22A is amended to read as follows (the footnotes remain unchanged):

TABLE 22A!—CAR MATERIAL, FLOORING (DECKING), FLOOR BOARDS AND DOOR SILLS

[Dressed to all patterns kiln dried or air dried]

Size and grade	8' lengths	9' lengths	10' lengths	12' lengths	14' lengths	16' lengths	Size and grade	8' lengths	9' lengths	10' lengths	12' lengths	14' lengths	16' lengths
Select—(par. 57 AAR Rules): ²							Common (par. 58 AAR Rules): ²						
2 x 6" and 2 x 8".	\$83.00	\$88.00	\$83.00	\$83.00	\$83.00	\$88.00	2 x 6", and 2 x 8".	\$68.00	\$73.00	\$68.00	\$68.00	\$68.00	\$73.00
2 1/4 and 2 1/4 x 6" and 8".	88.00	93.00	88.00	88.00	88.00	93.00	2 1/4, 2 1/2, 2 3/4 and 3 x 6" and 8".	73.00	78.00	73.00	73.00	73.00	78.00
2 3/4 and 3 x 6" and 8".	93.00	98.00	93.00	93.00	93.00	98.00							

c. Table 22B is amended to read as follows (the footnotes remain unchanged):

TABLE 22B!—CAR MATERIAL, FRAMING SPECIFIED OR RANDOM LENGTHS, 8' TO 14'.

[Rough green]

Size	Group 7	Group 8	Group 9	Group 10			Size	Group 7	Group 8	Group 9	Group 10			
				Par. 65 select structural no heart required	Par. 67 select structural no heart required	Par. 69 common structural	Par. 70 select structural no heart required	Par. 72 common structural	Par. 64 common	Par. 65 select structural no heart required	Par. 67 select structural no heart required	Par. 69 common structural	Par. 70 select structural no heart required	Par. 72 common structural
3 to 5 x 3 to 8".	\$53.00	\$68.00	\$68.00	\$63.00	\$68.00	\$61.00	3 to 5 x 11 and 12".	\$76.00	\$91.00	\$91.00	\$86.00	\$91.00	\$84.00	
3 to 5 x 9 and 10".	63.00	78.00	78.00	73.00	78.00	71.00	3 to 5 x 13 and 14".	87.00	102.00	102.00	97.00	102.00	95.00	

This amendment shall become effective July 26th, 1946.

Issued this 26th day of July 1946.

PAUL A. PORTER,
Administrator.

[F. R. Doc. 46-12790; Filed, July 26, 1946;
3:31 p. m.]

PART 1305—ADMINISTRATION

[SO 129, Amdt. 36]

EXEMPTION AND SUSPENSION FROM PRICE CONTROL OF MACHINES, PARTS, INDUSTRIAL MATERIALS AND SERVICES

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Supplementary Order 129 is amended in the following respects:

1. Section 13 (a) is amended by adding the following to the list of commodities thereunder:

Arsenic, metallic.
Bismuth metal and alloys.

Braided cord with wire core, for uses other than for transmission of electric current.

Cadmium metal.

Cast brass type.

Cotter pins.

Railway car (including surface and subway) journal bearings subject to MPR 125.

2. Section 13 (b) is amended by changing the item now reading "High alloy castings as defined in and subject to Maximum Price Regulation 214" to read as follows:

High alloy castings as defined in MPR 214.

3. Section 13 (b) is amended by adding the following to the list of commodities thereunder:

Braided cord with wire core, for uses other than for transmission of electric current.

Cotter pins.

Dowel bars for concrete pavings.

Expansion devices for concrete paving (iron or steel).

Florist's wire (steel).

Highway traffic guards (iron or steel).

Ice cream cans (metal).

Iron and steel engineered precision die, mold, pattern and grinding plate castings, produced to close tolerances and fine finishes, where no further machining is required except to match surfaces or parting lines,

to chrome plate surfaces or to provide holes for guide pins.

Solid steel rivets (1/2" diameter and over).

Steel storage tanks (field erected).

Track bolts.

Wire shoe nails.

4. Section 13 (c) is amended by adding the following to the list of commodities thereunder:

Activated clay.

Agate.

Andalusite.

Aplite.

Ball clay.

Barite.

Bentonite.

Bleaching clay.

Bulk chalk.

Carolina stone.

Celestite.

China clay.

Cornwall stone.

Cryolite.

Diatomaceous earth.

Drilling mud.

Dumortierite.

Feldspar.

Flint.

Foundry facings (carbon base).

Fuller's earth.

Garnet.

Gilsonite.

Graphite.
Graphite crucibles, stoppers, retorts and similar graphite products for use in foundries.
Greensand.
Halloysite.
Iceland spar.
Ilmenite.
Industrial diamonds.
Kaolin.
Kieselguhr.
Cyanite.
Mineral fillers.
Mullite.
Nepheline syenite.
Olivine.
Paper clay.
Pumice.
Pumicite.
Pyrites.
Quartz (excluding optical and radio grades).
Quartz and flint pebbles.
Rottenstone.
Rutile.
Sepiolite.
Slate flour.
Slip clay.
Stoneware clay.
Strontianite.
Topaz.
Tripoli.
Vermiculite.
Volcanic ash.
Whiting.
Witherite.

5. Section 16 (a) is amended by adding the following to the list of commodities thereunder:

Arsenic tri-oxide (crude and refined).
Cadmium oxide and cadmium sulphide.

This amendment shall become effective July 26, 1946.

Issued this 26th day of July 1946.

PAUL A. PORTER,
Administrator.

[F. R. Doc. 46-12798; Filed, July 26, 1946;
3:33 p. m.]

PART 1305—ADMINISTRATION

[SO 170]

AMENDING THE EFFECTIVE DATE AND OTHER DATE PROVISIONS OF CERTAIN AMENDMENTS AND ORDERS

SECTION 1. The amendments and orders listed below are amended to become effective on July 26, 1946, in place of the respective effective dates contained in such amendments and orders:

Amendment 49 to Maximum Price Regulation 127
Amendment 49 to Supplementary Regulation 14 E
Order 15 under Revised Maximum Price Regulation 357
Amendment 5 to Maximum Price Regulation 141
Amendment 1 to Second Revised Supplementary Order 13
Amendment 9 to Maximum Price Regulation 432
Amendment 44 to Revised Maximum Price Regulation 136
Amendment 12 to Maximum Price Regulation 82
Amendment 9 to Revised Maximum Price Regulation 129
Amendment 4 to Revised Maximum Price Regulation 361
Amendment 4 to Revised Maximum Price Regulation 464

Amendment 8 to Revised Maximum Price Regulation 187
Amendments 10 and 11 to Maximum Price Regulation 518
Amendment 8 to Revised Price Schedule 91
Amendment 4 to Maximum Price Regulation 483
Amendment 5 to Maximum Price Regulation 591
Amendment 21 to Revised Maximum Price Regulation 206
Amendment 16 to Supplementary Order 118

SEC. 2. Amendment 9 to Revised Maximum Price Regulation 129 and Amendment 8 to Revised Maximum Price Regulation 187 are amended to become effective on July 26, 1946, in place of "July 1, 1946" contained in such amendments, and the date July 26, 1946, is substituted for "July 1, 1946" wherever such latter date appears in such amendments.

SEC. 3. Amendment 1 to Second Revised Supplementary Order 13 is amended to become effective on July 26, 1946, in place of "July 6, 1946", contained in such amendment, and the date July 26, 1946, is substituted for "July 6, 1946" wherever the latter date appears in such amendment, and the date August 15, 1946, is substituted for "July 26, 1946" appearing in such amendment.

This Supplementary Order No. 170 shall become effective July 26, 1946.

Issued this 26th day of July 1946.

PAUL A. PORTER,
Administrator.

[F. R. Doc. 46-12800; Filed, July 26, 1946;
3:29 p. m.]

PART 1347—PAPER, PAPER PRODUCTS, RAW MATERIALS FOR PAPER AND PAPER PRODUCTS, PRINTING AND PUBLISHING

[RMPR 387; Incl. Amdts. 1-7]

PULPWOOD PRODUCED IN THE STATES OF SOUTH CAROLINA, GEORGIA, FLORIDA, TENNESSEE, MISSISSIPPI, ALABAMA, AND LOUISIANA EAST OF THE MISSISSIPPI RIVER

This compilation of Revised Maximum Price Regulation 387 includes Amendment 7, effective July 6, 1946. The text amended by Amendment 7 is underscored.

In the judgment of the Price Administrator the prices of pulpwood have risen and are threatening to rise to an extent and in a manner inconsistent with the purposes of the Emergency Price Control Act of 1942.

The Price Administrator has ascertained and given due consideration to the price of pulpwood prevailing in the States of South Carolina, Georgia, Florida, Tennessee, Mississippi, Alabama, and Louisiana east of the Mississippi River between October 1, 1941, and October 15, 1941, and has made adjustments for such relevant factors as he has determined and deemed to be of general applicability. The Price Ad-

¹8 F.R. 8507.

²Statements of consideration are also issued simultaneously with amendments. Copies may be obtained from the Office of Price Administration.

ministrator has advised and consulted with representative members of the industry. In the judgment of the Price Administrator, the maximum prices established by this regulation are and will be generally fair and equitable and will effectuate the purposes of said Act. A statement of the considerations involved in the issuance of this regulation is issued simultaneously herewith.²

Such specifications and standards as are used in this regulation were, prior to such use, in general use in the trade or industry affected.

[Above paragraph added by Supplementary Order 64, 8 F.R. 12554, effective 9-11-43]

§ 1347.1005 Maximum prices for pulpwood produced in the States of South Carolina, Georgia, Florida, Tennessee, Mississippi, Alabama, and Louisiana east of the Mississippi River. Under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942 as amended, and Executive Order No. 9250, Revised Maximum Price Regulation No. 387 (Pulpwood Produced in the States of South Carolina, Georgia, Florida, Tennessee, Mississippi, Alabama, and Louisiana east of the Mississippi River) which is annexed hereto and made a part hereof, is hereby issued.

Sec.

1. Prohibitions.
2. Less than maximum prices.
3. Adjustable pricing.
4. Evasion.
5. Records and reports.
6. Enforcement.
- 6a. Licensing.
7. Petitions for amendment.
8. Definitions.

Appendix A: Maximum prices for pulpwood.

AUTHORITY: § 1347.1005 issued under 56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; Pub. Laws 108 and 548, 79th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681; E.O. 9599, 10 F.R. 10155; E.O. 9651, 10 F.R. 13487; E.O. 9697, 11 F.R. 1691.

SECTION 1. *Prohibitions.* (a) On and after June 17, 1943, in the continental limits of the United States, regardless of any contract, agreement, lease or other obligation, no person shall buy and no person shall sell, deliver or transfer pulpwood cut from the stump in the States of South Carolina, Georgia, Florida, Tennessee, Mississippi, Alabama, and Louisiana east of the Mississippi River at prices in excess of the maximum prices set forth in Appendix A hereof; and no person shall agree, offer, solicit, or attempt to do any of the foregoing.

(b) *Prohibited practices.* Any practice which is a device to get the effect of a higher-than-ceiling price without actually raising the dollars-and-cents price is as much a violation of this regulation as an outright over-ceiling-price.

(c) *Specific prohibited practices.* The following are among the practices prohibited:

(1) Paying a banking charge for wood not banked, or for wood banked without a request by the buyer, or banked unnecessarily at the buyer's request;

(2) Up-grading, up-scaling or allowing a greater net scale than the actual scale content of the logs or bolts;

(3) Increasing the price of logs or bolts by failing to make an effort in good

faith to collect monetary or other advances such as trucks, tires or other equipment to producers. Any advance whatsoever to a producer is to be considered as part of the price of the logs or bolts to be supplied by the producer.

SEC. 2. *Less than maximum prices.* Lower prices than those set forth in Appendix A may be charged, demanded, paid or offered.

SEC. 3. *Adjustable pricing.* Any person may offer or agree to adjust or fix prices to or at prices not in excess of the maximum prices in effect at the time of delivery.

SEC. 4. *Evasion.* The price limitations set forth in this Revised Maximum Price Regulation No. 387 shall not be evaded, whether by direct or indirect methods, in connection with an offer, solicitation, agreement, sale, delivery, purchase or receipt of, or relating to pulpwood cut in the States of South Carolina, Georgia, Florida, Tennessee, Mississippi, Alabama, and Louisiana east of the Mississippi River, alone or in conjunction with any other commodity or by way of commission, service, transportation, or other charge, discount, premium or other privilege, or by tying agreement or other understanding, or otherwise.

SEC. 5. *Records and reports.* (a) Every person making a purchase or sale of pulpwood, for which a maximum price is established by this regulation, shall make and shall preserve, for inspection by the Office of Price Administration, for so long as the Emergency Price Control Act of 1942 shall be in effect, the same records of such purchases and sales as such person customarily made prior to the effective date of this regulation.

(b) Every person required to keep records by paragraph (a) of this section shall submit such reports as the Office of Price Administration, with the approval of the Bureau of the Budget, may from time to time require.

SEC. 6. *Enforcement.* Persons violating any provision of this Revised Maximum Price Regulation No. 387 are subject to the criminal penalties, civil enforcement actions and suits for treble damages provided for by the Emergency Price Control Act of 1942.

SEC. 6a. *Licensing.* The provisions of Licensing Order No. 1,¹ licensing all persons who make sales under price control, are applicable to all sellers subject to this regulation or schedule. A seller's license may be suspended for violations of the license or of one or more applicable price schedules or regulations. A person whose license is suspended may not, during the period of suspension, make any sale for which his license has been suspended.

[Sec. 6a added by Supplementary Order 72, 8 F.R. 13244, effective 10-1-43]

SEC. 7. *Petitions for amendment.* (a) Persons seeking any amendment of this Revised Maximum Price Regulation No. 387 may file petitions for amendment in accordance with the provisions of Re-

vised Procedural Regulation No. 1¹ issued by the Office of Price Administration.

SEC. 8. *Definitions.* (a) When used in this Revised Maximum Price Regulation No. 387 the term:

(1) "Person" includes an individual, corporation, partnership, association, or any other organized group of persons, or legal successor or representative of any of the foregoing, and includes the United States or any agency thereof, or any other government, or any of its political subdivisions, or any agency of the foregoing;

(2) "Pulpwood producer" or "seller" includes any person who sells pulpwood;

(3) "Consumer" includes any person who purchases pulpwood for its own consumption;

(4) "Pulpwood" means any species of wood (exclusive of mill waste or mill by-products) sold for manufacture into woodpulp;

(5) "Pine wood" includes longleaf pine, shortleaf pine, loblolly pine, slash pine, pond pine, sand pine, spruce pine, and any other species of the genus *Pinus*;

(6) "Southern hardwood" includes red gum, black gum, maple, poplar, tupelo, all species of oak, willow and associated species;

(7) "Rough pulpwood" means pulpwood from which the bark has not been removed;

(8) "Peeled pulpwood" includes any pulpwood which has been sap-peeled or barked prior to its delivery to a consumer;

(9) "Cord of pulpwood" means an amount of pulpwood which, when properly prepared and stacked, contains 128 cubic feet, or where pulpwood is sold in the form of logs, means 128 cubic feet at a ratio in proportion to the log scale used;

(10) "Dealer" means any person who sells to consumers pulpwood not cut or prepared by such person but purchased by such person in the condition in which it is to be delivered to the consumer;

(11) "Banked wood" means wood which has been temporarily stored at a shipping point at the request of the buyer;

(12) "Sale" or "sold" includes sales and deliveries, and sales and contracts to sell pulpwood.

(13) "Veneer cores" means that portion of a veneer bolt which remains after the veneer has been removed by the rotary slicing method;

[Subparagraph (13) added by Am. 3, 9 F.R. 8187, effective 7-24-44]

(14) "Select black gum" means black gum sawed in full 5 foot lengths, not less than 6 inches in diameter inside the bark at the small end and not more than 16 inches in diameter inside the bark at the large end; free of sound knots, black knots, blazes, ingrown bark or other face defects (whether visible or covered over by surface enlargements); free of dark heart larger than one-sixth of the diameter of the large end; and each piece shall be straight, solid, free of decay and shall be cut from green timber only.

[Subparagraph (14) added by Am. 4, 9 F.R. 12593, effective 10-28-44]

(b) Unless the context otherwise requires, the definitions set forth in section 302 of the Emergency Price Control Act of 1942 shall apply to other terms used herein.

APPENDIX A—MAXIMUM PRICES FOR PULPWOOD

(a) (1) The maximum price per cord for pulpwood cut from the stump in the states of South Carolina, Georgia, Florida, Tennessee, Mississippi, Alabama, and Louisiana east of the Mississippi River shall not exceed the following delivered at the seller's expense at the points indicated:

F. o. b. freight cars:

Pine	9.00
Southern hardwood (rough)	9.50
Southern hardwood (peeled) and veneer cores	12.65

F. o. b. barges:

Pine	10.00
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[Table amended by Am. 2, 9 F.R. 2788, effective 3-11-44; Am. 3, 9 F.R. 8187, effective 7-24-44; Am. 5, 9 F.R. 13262, effective 11-13-44 and Am. 6, 11 F.R. 1816, effective 2-18-46]

The maximum price for select peeled pine, free of turpentine-bearing species including long leaf and slash pine, sold for manufacture into groundwood pulp, shall not exceed \$14.20 per cord delivered mill or, when sold at another point, \$14.20 per cord less the transportation cost involved in moving the wood to the mill from the point of sale. The maximum price for select rough black gum (as defined in section 8 (a) (14) of this regulation) when sold for shipment to Hartsville, South Carolina, for use there in the manufacture of semichemical pulp shall not exceed \$11.50 per cord, f. o. b. freight cars.

[Above paragraph amended by Am. 4 and 7-26-46]

Delivered mill by truck or similar vehicle. When pulpwood is delivered to a consumer by truck or similar vehicle, the maximum price shall be the f. o. b. car price stated above plus or minus the same dollars and cents differential, if any, which the particular mill paid over or under its highest f. o. b. car price in the months of January and February 1943, for the same type of delivery, except when pulpwood is delivered by truck or similar vehicle to a consumer's mill at the locations listed below, an amount not in excess of the amounts listed below, may be added to the maximum f. o. b. car price stated above:

	Per cord
Mobile, Ala.	\$2.00
Tuscaloosa, Ala.	2.00
Fernandina, Fla.	.57
Charleston, S. C.	.75

[Above paragraph amended by Am. 1, 9 F.R. 2553, effective 3-3-44; Am. 3, 9 F.R. 8187, effective 7-24-44; Am. 4, 9 F.R. 12593, effective 10-23-44 and Am. 7, effective 7-26-46]

(2) (i) The maximum price for pulpwood sold at points other than those listed above shall be arrived at by deducting from the maximum price established above, f. o. b. cars or on a barge, an amount equal to the actual cost incurred by the buyer in transporting the wood to and loading the wood at the point of shipment actually used, or, in the case of wood trucked to the mill, the actual costs of such trucking.

(ii) If pulpwood is banked by the seller at the buyer's request at a rail siding or barge landing, or within one mile thereof by road, and is later loaded at the seller's expense on the railway car or barge, the appropriate maximum price may be increased by an amount not in excess of 80¢ per cord in the

case of pulpwood shipped by rail, and \$1.00 per cord in the case of pulpwood shipped by barge.

[Subparagraph (ii) amended by Am. 5, 9 F.R. 13262, effective 11-13-44]

(b) The maximum prices provided herein are for sound wood of standard quality. All trade practices and customs with respect to allowances for culs, for firekills, or for defective wood of any kind must be observed.

(c) *Dealers.* (1) In the event that a consumer of pulpwood shall purchase pulpwood through a dealer as defined in section 8 (a) (10) hereof, such a consumer may pay such dealer not more than the maximum price herein plus a dealer's allowance not in excess of 75¢ per cord provided, however, that no commission may be paid in addition to the appropriate maximum price with respect to wood shipped by barge.

[Subparagraph (1) amended by Am. 2, 9 F.R. 2788, effective 3-11-44]

(2) The maximum prices established in paragraph (a) of Appendix A, can in no case be augmented by more than one dealer's allowance for each cord. In no event shall a person receive a dealer's allowance or the proceeds of a dealer's allowance on pulpwood cut by him or by his own operations. In no event shall a person receive a dealer's allowance on the cut of another person pursuant to any contract, agreement, or understanding of any sort whatsoever between the two, whereby each is to sell, and charge an allowance on the wood cut by the other. In no event shall the dealer's allowance be split or divided with any other person. In addition to the price paid by the consumer a dealer may receive a dealer's allowance only from a consumer and only if the dealer fulfills all of the following requirements with respect to the transactions:

(i) Copies are kept of all contracts or settlement sheets in which a dealer's allowance is charged;

(ii) The sale is made by the dealer to the consumer;

(iii) The pulpwood sold by the dealer to the consumer has been completely prepared for delivery and delivered by a person other than the dealer;

(iv) The dealer guarantees the merchantable quality of the pulpwood and that the pulpwood is free from all liens and incumbrances;

(v) The dealer's allowance in such transaction is shown as a separate item on the settlement sheet. This settlement sheet must contain a statement that the dealer has had no part in the preparation or delivery of the pulpwood, and that the charges are not in excess of those allowed by Revised Maximum Price Regulation No. 387;

(vi) The dealer's allowance is not split or divided with any other person;

(vii) All pertinent provisions in this Revised Maximum Price Regulation No. 387 are strictly complied with.

This Revised Maximum Price Regulation No. 387 shall become effective June 17, 1943. [Revised Maximum Price Regulation 387 originally issued June 17, 1943]

[Effective dates of amendments are shown in notes following the parts affected]

NOTE: The reporting provisions of this regulation have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 26th day of July 1946.

PAUL A. PORTER,
Administrator.

[F. R. Doc. 46-12795; Filed, July 26, 1946;
3:29 p. m.]

PART 1351—FOOD AND FOOD PRODUCTS

[Rev. SR 14B, Amdt. 8]

BREAD AND BAKERY PRODUCTS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Revised Supplementary Regulation 14B is amended in the following respects:

1. Paragraph (c) of section 2; the words "as defined in this section" in paragraph (a) of section 3; paragraph (c) of section 3; section 4; section 5; paragraphs (b) and (d) of section 7; subparagraph (3) of paragraph (e) of section 7; and paragraph (b) of section 9 are hereby deleted.

2. A new section 14 is added to Revised Supplementary Regulation 14B to read as follows:

SEC. 14. *Definitions.* When used in this regulation, the following terms shall have the following meanings:

(a) "Day-old bread or rolls" and "stale bread or rolls" mean bread or rolls which are sold after their customary sale day.

(b) "Crippled bread or rolls" means bread or rolls damaged in production, packaging, or transportation, the food value of which has not been impaired.

(c) "Ultimate consumer" means any person purchasing any of the products covered by this revised supplementary regulation for personal, family or household use, not including retailers, government agencies, or commercial, industrial or institutional users.

(d) "Sales at retail" mean sales to ultimate consumers.

(e) "Sales at wholesale" means all sales other than sales at retail.

(f) "Chain store private label bread" means bread sold under a distinctive name or label in one or more retail grocery or general merchandise stores, comprising the whole or part of a chain of four or more such stores and operating as cooperatives or under a common trade name or common ownership. Each of said four stores must customarily do more than 60 percent of its business in merchandise other than bakery products.

(g) "Rye bread" means any bread, the flour content of which consists of rye flour and wheat flour at the ratio of at least one part of rye flour to four parts of wheat flour.

(h) "Rye rolls" means any rolls, the flour content of which consists of rye flour and wheat flour at the ratio of at least one part rye flour to four parts of wheat flour.

(i) "Pan bread" means any bread baked in a pan, form or screen.

(j) "Similar" commodity or product means one which:

(1) Has substantially the same cost at the time of the determination.

(2) Is made from the same basis type of dough; and

(3) Has the same weight when completely finished and ready for wrapping or when ready for sale if sold unwrapped.

(k) "Fargo-Moorhead trading area" means Fargo, Southwest Fargo and West Fargo in the State of North Dakota, and

Dilworth and Moorhead in the State of Minnesota.

(l) "Competitive seller" means a person who:

(1) Performs the same production or marketing function (for example, manufacturing, distributing, retailing),

(2) Is of a similar type (for example, department store, chain store, specialty store, cutrate store, house to house seller),

(3) Deals in the same type of commodity,

(4) Sells to the same type of purchaser (for example, to wholesalers, retailers, route sellers or ultimate consumers), and

(5) Services the same or a similar area.

This amendment shall become effective July 26, 1946.

Issued this 26th day of July 1946.

PAUL A. PORTER,
Administrator.

Approved: June 28, 1946.

N. E. DODD,
Acting Secretary of Agriculture.

[F. R. Doc. 46-12788; Filed, July 26, 1946;
3:32 p. m.]

PART 1388—DEFENSE-RENTAL AREAS

[Rent Reg. for Housing, Amdt. 95]

HOUSING

Amendment 92 to the Rent Regulation for Housing is amended to become effective on August 1, 1946, instead of July 1, 1946, the effective date contained therein.

Issued and effective July 26, 1946.

PAUL A. PORTER,
Administrator.

[F. R. Doc. 46-12826; Filed, July 26, 1946;
4:41 p. m.]

PART 1388—DEFENSE-RENTAL AREAS

[Rent Reg. for Housing in Atlantic County,
Amdt. 20 (§ 1388.1411)]

HOUSING IN ATLANTIC COUNTY, N. J.

Section 6 (b) (3) (i) of the Rent Regulation for Housing in the Atlantic County Defense-Rental Area is amended to read as follows:

(i) This paragraph (b) (3) applies to the issuance of a certificate for occupancy of housing accommodations in a structure or premises owned or leased by a cooperative corporation or association (hereinafter called "cooperative") by a purchaser of stock or other evidence of interest (hereinafter called "stock") in such cooperative who is entitled by reason of ownership of such stock to possession of such housing accommodations by virtue of a proprietary lease or other-

¹ 10 F.R. 13528, 13454, 14339; 11 F.R. 247, 248, 740, 1299, 1773, 2116, 2189, 2445, 3480, 4015, 4153, 4731, 5396, 5824, 5952, 5953, 6763, 7337, 7341.

² 9 F.R. 6819, 8054, 10189, 13634, 11349, 12415, 14987; 10 F.R. 330, 1452, 1911, 1973, 2402, 2617, 5090, 11669, 14399; 11 F.R. 11773, 2141, 2446, 4031.

wise. It applies only to the issuance of a certificate authorizing the pursuit of local remedies to remove or evict one who was a tenant of the housing accommodations at the time of such purchase.

Issued and effective July 26, 1946.

PAUL A. PORTER,
Administrator.

[F. R. Doc. 46-12815; Filed, July 26, 1946;
4:41 p. m.]

PART 1499—COMMODITIES AND SERVICES

[SR 14-H, Amdt. 13]

**TRANSPORTATION OF MILK BY MOTOR VEHICLE
IN OREGON**

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Section 20 is added to read as follows:

SEC. 20. Transportation of milk by motor vehicle in Oregon. The maximum rates for the transportation of fresh milk in cans from points in Oregon within 35 miles of McMinnville to McMinnville by motor carriers other than common carriers, shall be either (1) the minimum rates such carriers are required to observe by reason of Order No. 13419 issued by the Public Utilities Commissioner of Oregon on June 3, 1944 in Tariff Docket No. 32, or (2) the minimum rates established by the General Maximum Price Regulation or any Supplementary Regulation or order issued by the Office of Price Administration, whichever rates are higher.

This amendment shall become effective July 26, 1946.

Issued this 26th day of July 1946.

PAUL A. PORTER,
Administrator.

[F. R. Doc. 46-12789; Filed, July 26, 1946;
3:30 p. m.]

PART 1305—ADMINISTRATION

[SO 126, Amdt. 46]

EXEMPTION AND SUSPENSION OF CERTAIN ARTICLES OF CONSUMER GOODS FROM PRICE CONTROL

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.

Supplementary Order No. 126 is amended in the following respects:

1. Section 8 (b) is amended to read as follows:

(b) Furs and peltries heretofore subject to Maximum Price Regulation No. 541 other than the following:

Lamb, Mouton
Rabbit

2. Section 9 (a) is amended to read as follows:

(a) (1) *Fur garments.* Fur garments (garments of which the entire external

surface, except fur trimming, is made of fur), fur shells or fur garments and fur trimmings and collars, other than such articles made from the following furs and peltries:

Lamb, Mouton
Rabbit

(2) *Fur accessories.* Women's and children's handbags, purses or pocketbooks covered by Category 1, in Article I, Section 1.2 (h) in Supplementary Regulation 14E to the General Maximum Price Regulation, when the outside surface of the handbag, purse or pocketbook (excluding frame and fittings) is made of 90% or more of fur.

This amendment shall become effective July 26, 1946.

Issued this 26th day of July 1946.

PAUL A. PORTER,
Administrator.

[F. R. Doc. 46-12813; Filed, July 26, 1946;
4:39 p. m.]

PART 1315—RUBBER AND PRODUCTS AND MATERIALS OF WHICH RUBBER IS A COMPONENT

[MPR 200, Amdt. 24]

RUBBER HEELS AND SOLES IN THE SHOE REPAIR TRADE

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

In the table in § 1315.1405 (c) (1) the heading "Brown Heels" and the subject matter thereunder are amended to read as follows:

BROWN HEELS

All types except whole heels	Whole heels
Minimum abrasion	Minimum abrasion
25	20
20	15
15	10
10	10

This amendment shall become effective July 26, 1946.

Issued this 26th day of July 1946.

PAUL A. PORTER,
Administrator.

[F. R. Doc. 46-12829; Filed, July 26, 1946;
5:05 p. m.]

PART 1347—PAPER, PAPER PRODUCTS, RAW MATERIALS FOR PAPER AND PAPER PRODUCTS, PRINTING AND PUBLISHING

[MPR 32, Amdt. 7]

PAPERBOARD

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith,

has been filed with the Division of the Federal Register.

Maximum Price Regulation 32 is amended in the following respects:

1. The following item in the pricing table in Appendix A (a) is amended to read as follows:

	1 to 3 tons	Over 3 less than 10 tons	10 tons or over
White vat lined chip	\$73.00	\$70.50	\$68.00

2. The prices of the following items in the pricing table in Appendix A (b) are amended to read as follows:

	1 to 3 tons	Over 3, less than 10 tons	10 tons or over
Single manila lined chip	\$72.00	\$69.50	\$67.00
Single jute lined chip	72.00	69.50	67.00
Mist gray lined chip	72.00	69.50	67.00
Bleached manila lined chip	74.50	72.00	69.50
Cream faced gypsum liner-board (single manila lined) hard sized, f. o. b. mill	73.50	73.50	73.50

3. All prices of the items in the pricing table in Appendix A (c) are increased \$2.00 per ton.

4. All prices of the items in Appendix A (d) (2) are increased \$2.00 per ton.

5. The following items in Appendix B (a) are amended to read as follows:

Test jute:

0.016—56-68 lb. weight, 100 lb. test and over	\$2.43
0.016—56-68 lb. weight, 85 lb. test to less than 100 lb. test	2.33
0.016—56-68 lb. weight, 70 lb. test to less than 85 lb. test	2.12

Price
0.016—56-68 lb. weight \$66.50

6. The following items in Appendix B (b) are amended to read as follows:

Test jute:

0.030—95-110 lb. weight, 135 lb. test \$3.83

Price
Nontest jute : (per ton)
0.030—95-110 lb. weight, less than 135 lb. test \$66.50

6. The following items in Appendix B (b) are amended to read as follows:

Test jute:

0.030—95-110 lb. weight, 135 lb. test \$3.83

Price
Nontest jute : (per ton)
0.030—95-110 lb. weight, less than 135 lb. test \$66.50

7. The following item in Appendix B (c) is amended to read as follows:

Jute:

0.012—48-52 lb. weight \$1.86

8. The following items in Appendix B (d) are amended to read as follows:

Chestnut:

0.009—26 lb. weight \$0.96

Bogus:

0.009—25-30 lb. weight 1.02

9. In paragraph (d) of Appendix A, subparagraph (4) is added to read as follows:

(4) Applying to paragraphs (a), (b) or (c):

Small width rolls:	Per cwt.
(i) 20½" to over 14"	\$0.25
(ii) 14" to over 11"	.37½
(iii) 11" to over 4"	.62½
(iv) 4" to over 2"	1.00

10. In paragraph (g) of Appendix B, subparagraph (3) is added to read as follows:

(3) *Differentials for small width rolls*

	Per cwt.
(i) 20½" to over 14"	\$0.25
(ii) 14" to over 11"	.37½
(iii) 11" to over 4"	.62½
(iv) 4" to over 2"	1.00

11. To the list of items in Appendix C (c) (1) are added items (ix) and (x) as follows:

(ix) Solid bleached boards.

(x) Bottle cap, hood, cover and lid stock.

12. Appendix D (a) (3) is amended to read as follows:

(3) *Milk bottle stock.* The maximum price for Milk Bottle Stock shall be \$120 per ton in rolls, f. o. b. mill, with car-load freight allowed not exceeding \$10.00 per ton. A differential of \$15.00 per ton may be added for sheets, trimmed or untrimmed, packed on skids or in bundles. All discounts, allowances and differentials granted during the base period, October 1, 1940 through October 15, 1941, shall continue to apply. If a manufacturer had no such base period practice, he shall grant the discounts, allowances and differentials of his most closely competitive seller of this commodity.

This amendment shall become effective July 26, 1946.

Issued this 26th day of July 1946.

PAUL A. PORTER,
Administrator.

[F. R. Doc. 46-12802; Filed, July 26, 1946;
4:40 p. m.]

PART 1388—DEFENSE-RENTAL AREAS

[Designation and Rent Declaration 31,
Amdt. 45]

DESIGNATION OF CERTAIN AREAS AND RENT DECLARATIONS RELATING TO SUCH AREAS

Amendment 44 to Designation and Rent Declaration 31 is amended to become effective on August 1, 1946, instead of July 1, 1946, the effective date contained therein.

Issued and effective July 26, 1946.

PAUL A. PORTER,
Administrator.

[F. R. Doc. 46-12814; Filed, July 26, 1946;
4:42 p. m.]

PART 1388—DEFENSE-RENTAL AREAS

[Rent Reg. for Hotels and Rooming Houses,
Amdt. 88]

HOTELS AND ROOMING HOUSES

Amendment 86 to the Rent Regulation for Hotels and Rooming Houses is amended to become effective on August 1, 1946, instead of July 1, 1946, the effective date contained therein.

Issued and effective July 26, 1946.

PAUL A. PORTER,
Administrator.

[F. R. Doc. 46-12823; Filed, July 26, 1946;
4:42 p. m.]

¹ 10 F.R. 12001, 12162; 11 F.R. 246, 1287, 2189, 3479, 4727, 6014, 7337.

² 11 F.R. 4000, 4163, 4730, 5542, 5954, 5825, 5951, 5952, 6763, 7424, 7426.

PART 1388—DEFENSE-RENTAL AREAS

[Rent Reg. for Housing,¹ Amdt. 96
(§ 1388.1181)]

HOUSING

Amendment 93 to the Rent Regulation for Housing is amended to become effective on August 1, 1946, instead of July 1, 1946, the effective date contained therein.

Issued and effective July 26, 1946.

PAUL A. PORTER,
Administrator.

[F. R. Doc. 46-12827; Filed, July 26, 1946;
4:42 p. m.]

PART 1415—PROTECTIVE COATINGS

[RMMPR 180, Amdt. 4]

COLOR PIGMENTS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Revised Maximum Price Regulation No. 180 is amended in the following respects:

1. In section 11 (a) (1) the prices for the items listed below appearing under the title "C. P. Chrome Greens" are amended to read as follows:

C. P. Chrome Greens:	
Blue content up to 5%	\$0.24
Blue content up to 6-10%	.25
Blue content of 11-15%	.26
Blue content of 16-20%	.26½
Blue content of 21-25%	.27
Blue content of 26-30%	.27½
Blue content of 31-35%	.28½
Blue content of 36-40%	.30
Blue content of 41-45%	.31½
Blue content of 46-50%	.34

2. In section 11 (a) (1) the prices for C. P. chrome yellows and oranges and molybdate oranges appearing under the heading "Yellows and oranges" are amended to read as follows:

C. P. Chrome yellows and oranges	\$0.17½
Molybdate oranges	.32

3. Section 12 is deleted and section 13 (Appendix B) is designated as section 12 (Appendix B).

4. A new section 13 is added to read as follows:

SEC. 13. Modification of maximum prices. (a) The manufacturers' maximum prices established pursuant to section 12 of Revised Maximum Price Regulation No. 180 for pulp, reduced or flushed colors containing chemically pure chrome green, chrome yellow, chrome orange, or molybdate orange may be increased by an amount equal to the percentage of such C. P. color contained therein multiplied by the amount per pound listed below for the respective color and rounded off to the nearest ¼ cent.

	Per lb.
C. P. chrome greens	\$0.01
C. P. chrome yellows or oranges	.01½
Molybdate oranges	.01

¹ 10 F.R. 13528, 13454, 14339; 11 F.R. 247, 248, 740, 1299, 1773, 2116, 2180, 2445, 3480, 4015, 4153, 4731, 5396, 5824, 5952, 5953, 6763, 7337, 7341.

(b) The manufacturers' maximum prices established under Revised Maximum Price Regulation No. 180 for any lead containing colors, other than C. P. chrome greens, C. P. chrome yellows and oranges and molybdate oranges and those included in paragraph (a) above, may be increased by an amount equal to the percent of lead contained therein multiplied by 1 ¼ cents and rounded off to the nearest quarter of a cent.

(c) *Notice to purchasers.* Any manufacturer who modifies his maximum prices for lead containing color pigments pursuant to this section shall, on or before the date of the first shipment of such commodity, send to the purchaser a statement to read as follows:

In accordance with the provisions of Amendment 4 to Revised Maximum Price Regulation No. 180 we have increased the maximum prices for ----- by \$ ----- per pound.

This Amendment No. 4 shall become effective July 26, 1946.

Issued this 26th day of July 1946.

PAUL A. PORTER,
Administrator.

[F. R. Doc. 46-12805; Filed, July 26, 1946;
4:40 p. m.]

PART 1388—DEFENSE-RENTAL AREAS

[Rent Reg. for Housing in Miami,¹ Amdt. 23
(§ 1388.1241)]

HOUSING IN MIAMI, FLA.

Section 6 (b) (3) (i) of the Rent Regulation for Housing in the Miami Defense-Rental area is amended to read as follows:

(i) This paragraph (b) (3) applies to the issuance of a certificate for occupancy of housing accommodations in a structure or premises owned or leased by a cooperative corporation or association (hereinafter called "cooperative") by a purchaser of stock or other evidence of interest (hereinafter called "stock") in such cooperative who is entitled by reason of ownership of such stock to possession of such housing accommodations by virtue of a proprietary lease or otherwise. It applies only to the issuance of a certificate authorizing the pursuit of local remedies to remove or evict one who was a tenant of the housing accommodations at the time of such purchase.

Issued and effective July 26, 1946.

PAUL A. PORTER,
Administrator.

[F. R. Doc. 46-12818; Filed, July 26, 1946;
4:42 p. m.]

PART 1388—DEFENSE-RENTAL AREAS

[Rent Reg. for Hotels and Rooming Houses,² Amdt. 90 (§ 1388.1231)]

HOTELS AND ROOMING HOUSES

Section 2 (c) of the Rent Regulation for Hotels and Rooming Houses is amended by adding the following paragraph:

¹ 9 F.R. 14994; 10 F.R. 331, 1973, 2403, 2872, 5090, 11670, 14399; 11 F.R. 2115, 2447, 4031.

² 11 F.R. 4000, 4163, 4582, 4730, 5542, 5954, 5825, 5951, 5952, 6763, 7424, 7426.

(6) Notwithstanding the preceding provisions of this paragraph (c), the demand, receipt, or retention of a security deposit contrary to such provisions between June 30, 1946, and July 25, 1946, shall not be a violation of this regulation: *Provided, however, That the landlord shall refund such security deposit to the tenant within 30 days after July 25, 1946.*

Issued and effective July 26, 1946.

PAUL A. PORTER,
Administrator.

[F. R. Doc. 46-12825; Filed, July 26, 1946;
4:43 p. m.]

PART 1305—ADMINISTRATION
[SO 171 (§ 1305.199)]

**HOW SELLERS ARE TO TREAT COSTS INCURRED
DURING THE PERIOD JULY 1 TO JULY 24,
1946**

A statement of the considerations involved in the issuance of this Supplementary Order, issued simultaneously herewith, has been filed with the Division of the Federal Register.

SECTION 1. Scope of this order. Certain O. P. A. regulations and orders fix ceiling prices on the basis of the seller's costs, provided those costs are no higher than the supplier's ceiling prices. During the period from July 1, 1946 to July 25, 1946, suppliers were free to charge prices higher than the previous ceiling prices. This order tells the seller to whom goods were delivered or services rendered during this period what he may use as the cost of those goods or services in computing his own ceilings. This order does not apply to any costs incurred for materials or services which were free from price control on June 30, 1946, but it does apply to labor costs.

SEC. 2. Retailers and Wholesalers. (a) When any regulation or order requires a retailer or wholesaler to calculate his ceiling price on the basis of the cost of the goods to him, he shall not use in his computation the cost incurred by him for goods delivered to him during the period July 1, 1946 to July 25, 1946, but shall use only the greater of (1) his last cost prior to July 1, 1946 or (2) his supplier's ceiling price to him established prior to August 15, 1946 and in effect at or before the time he is reselling the goods. On whichever basis he prices, however, he shall not use a cost higher than the actual cost of the goods being priced.

(b) Before a retailer or wholesaler may resell goods for which his ceiling price is being figured on the basis of his supplier's ceiling price, he must secure from his supplier a written statement of that maximum price, including any adjustment charges required to be separately stated. Any supplier who is requested to furnish the ceiling price information required by this paragraph must do so within 5 days of request.

(c) If the supplier on June 30, 1946, had no ceiling price for the same commodity, but, on that date the commodity was subject to price control, the wholesaler or retailer must sell such goods at the net cost of acquisition, unless before

resale he has calculated his ceiling price on the basis of the ceiling price established for his supplier and in effect at the time of resale. However, in the latter case he must not use a figure higher than his actual cost.

(d) Except as provided in this section, retailers will continue to calculate their ceiling prices on the basis of the regulation or order applying to their sales, including any requirements in any order or regulation that they eliminate adjustments granted to their suppliers.

(e) Any wholesaler or retailer who, under the applicable regulation, is required to compute his ceiling price on the basis of his cost but who is not permitted to refigure his ceiling price even though his cost may change, may not charge a price higher than the ceiling price which was in effect on June 30, 1946. Such sellers will continue to observe the provisions of the regulations or orders applying to their sales.

(f) "Delivered" means delivery directly to the retailer or wholesaler, or a delivery to a common carrier for shipment to the retailer or wholesaler.

(g) "Retailer" or "wholesaler" means any person who makes a sale at wholesale or at retail, that is, a sale of goods in substantially the form in which they were bought.

SEC. 3. Manufacturers, Processors, Converters, and Suppliers of Services.

(a) To the extent that any regulation or order requires or permits a manufacturer, processor, converter, or supplier of services to calculate a ceiling price by using actual costs (as one of the steps in the calculation) for labor, materials, trim, service charges, parts, or subassemblies, he shall not use in his computation any cost incurred by him for such items delivered or supplied to him during the period July 1, 1946 to July 25, 1946 which is greater than (1) his last cost for such item prior to July 1, 1946, or (2) his supplier's ceiling price to him established prior to August 15, 1946 and in effect at or before the time of sale. He shall likewise exclude from his computation any amount for labor costs which are based on wage rates higher than those "Approved" on or before June 30, 1946.

(b) Before a seller covered by this section may resell goods for which his ceiling price is being figured on the basis of his supplier's ceiling price he must secure from his supplier a written statement of that maximum price including any adjustment charges required to be separately stated. Any supplier who is requested to furnish the ceiling price information required by this paragraph must do so within 5 days of request.

(c) If the supplier on June 30, 1946 had no ceiling price, for the same commodity or service, but on that date it was subject to price control, the seller covered by this section may not sell such goods until his supplier's ceiling price has been fixed.

¹ Within the requirements of Subject C of the Supplementary Wage and Salary Regulations issued by the Office of Economic Stabilization on March 8, 1936.

(d) Except as provided in this section, however, the sellers covered thereby will continue to calculate their ceiling prices on the basis of the regulation or order applying to their sales, including any requirements in any order or regulation that they eliminate adjustments granted to their suppliers from their cost.

(e) Any seller covered by this section who, under the applicable regulation, is required to compute his ceiling price on the basis of his cost but who is not permitted to refigure his ceiling price even though his cost may change, may not charge a price higher than the ceiling price which was in effect on June 30, 1946. Such sellers will continue to observe the provisions of the regulations or order applying to their sales.

(f) "Delivered" means delivery directly to the seller or a delivery to a common carrier for shipment to the seller.

SEC. 4. Special rule for retailers and wholesalers of certain foods. Notwithstanding the provisions of section 2, wholesalers and retailers covered by Maximum Price Regulations Nos. 421, 422, or 423 shall figure their ceiling prices for the commodities covered by those regulations in accordance with the provisions of MPR No. 421, MPR 422, or MPR 423, whichever is applicable.

This supplementary order shall become effective on the 26th day of July 1946.

Issued this 26th day of July 1946.

PAUL A. PORTER,
Administrator.

[F. R. Doc. 46-12801; Filed, July 26, 1946;
3:30 p. m.]

PART 1388—DEFENSE-RENTAL AREAS

[Rent Reg. for Housing in New York City,
Amdt. 29 (§ 1388.1281)]

HOUSING IN NEW YORK CITY

Section 2 (d) of the Rent Regulation for Housing in the New York City Defense-Rental Area is amended by adding the following paragraph:

(8) Notwithstanding the preceding provisions of this paragraph (d), the demand, receipt, or retention of a security deposit contrary to such provisions between June 30, 1946, and July 25, 1946, shall not be a violation of this regulation: *Provided, however, That the landlord shall refund such security deposit to the tenant within 30 days after July 25, 1946.*

Issued and effective July 26, 1946.

PAUL A. PORTER,
Administrator.

[F. R. Doc. 46-12822; Filed, July 26, 1946;
4:43 p. m.]

PART 1388—DEFENSE-RENTAL AREAS

[Rent Reg. for Hotels and Rooming Houses in Miami,² Amdt. 20 (§ 1388.1401)]

HOTELS AND ROOMING HOUSES IN MIAMI, FLA.

Section 2 (c) of the Rent Regulation for Hotels and Rooming Houses in the

¹ 11 F.R. 4583

² 10 F.R. 318, 2405, 5090, 9445, 11071, 15212;

11 F.R. 4015.

FEDERAL REGISTER, Tuesday, July 30, 1946

Miami Defense-Rental Area is amended by adding the following paragraph:

(6) Notwithstanding the preceding provisions of this paragraph (c), the demand, receipt, or retention of a security deposit contrary to such provisions between June 30, 1946, and July 25, 1946, shall not be a violation of this regulation: *Provided, however,* That the landlord shall refund such security deposit to the tenant within 30 days after July 25, 1946.

Issued and effective July 26, 1946.

PAUL A. PORTER,
Administrator.

[F. R. Doc. 46-12816; Filed, July 26, 1946;
4:44 p. m.]

PART 1388—DEFENSE-RENTAL AREAS

[Rent Reg. for Housing in Atlantic County,
Amdt. 21 (§ 1388.1411)]

HOUSING IN ATLANTIC COUNTY, N. J.

Section 2 (d) of the Rent Regulation for Housing in the Atlantic County Defense-Rental Area is amended by adding the following paragraph:

(8) Notwithstanding the preceding provisions of this paragraph (d), the demand, receipt, or retention of a security deposit contrary to such provisions between June 30, 1946, and July 25, 1946, shall not be a violation of this regulation: *Provided, however,* That the landlord shall refund such security deposit to the tenant within 30 days after July 25, 1946.

Issued this 26th day of July 1946.

PAUL A. PORTER,
Administrator.

[F. R. Doc. 46-12817; Filed, July 26, 1946;
4:43 p. m.]

PART 1388—DEFENSE-RENTAL AREAS

[Rent Reg. for Hotels and Rooming Houses in New York City,¹ Amdt. 27 (§ 1388.1409)]

HOTELS AND ROOMING HOUSES IN NEW YORK CITY

Section 2 (c) of the Rent Regulation for Hotels and Rooming Houses in the New York City Defense-Rental Area is amended by adding the following paragraph:

(6) Notwithstanding the preceding provisions of this paragraph (c), the demand, receipt, or retention of a security deposit contrary to such provisions between June 30, 1946, and July 25, 1946, shall not be a violation of this regulation: *Provided, however,* That the landlord shall refund such security deposit to the tenant within 30 days after July 25, 1946.

Issued and effective July 26, 1946.

PAUL A. PORTER,
Administrator.

[F. R. Doc. 46-12820; Filed, July 26, 1946;
4:43 p. m.]

PART 1388—DEFENSE-RENTAL AREAS

[Rent Reg. for Housing in Miami,² Amdt. 24 (§§ 1388, 1341)]

HOUSING IN MIAMI, FLA.

Section 2 (d) of the Rent Regulation for Housing in the Miami Defense-Rental area is amended by adding the following paragraph:

(7) Notwithstanding the preceding provisions of this paragraph (6), the demand, receipt, or retention of a security deposit contrary to such provisions between June 30, 1946, and July 25, 1946, shall not be a violation of this regulation: *Provided, however,* That the landlord shall refund such security deposit to the tenant within 30 days after July 25, 1946.

Issued and effective July 26, 1946.

PAUL A. PORTER,
Administrator.

[F. R. Doc. 46-12819; Filed, July 26, 1946;
4:43 p. m.]

PART 1388—DEFENSE-RENTAL AREAS

[Rent Reg. for Housing,³ Amdt. 97 (§ 1388.1181)]

HOUSING

Section 2 (d) of the Rent Regulation for Housing is amended by adding the following paragraph:

(8) Notwithstanding the preceding provisions of this paragraph (d), the demand, receipt, or retention of a security deposit contrary to such provisions between June 30, 1946, and July 25, 1946, shall not be a violation of this regulation: *Provided, however,* That the landlord shall refund such security deposit to the tenant within 30 days after July 25, 1946.

Issued and effective July 26, 1946.

PAUL A. PORTER,
Administrator.

[F. R. Doc. 46-12828; Filed, July 26, 1946;
4:43 p. m.]

¹ 11 F.R. 4025.

² 10 F.R. 13528, 13454, 14399; 11 F.R. 247, 248, 740, 1299, 1773, 2116, 2189, 2445, 3480, 4015, 4153, 4731, 5396, 5824, 5952, 5953, 5763, 7337, 7341.

³ 9 F.R. 6819, 8054, 10189, 10634, 11349, 12415, 14987; 10 F.R. 330, 1452, 1911, 1973, 2402, 2617, 5090, 11669, 14399; 11 F.R. 11773, 2141, 2446, 4031.

⁴ 9 F.R. 14994; 10 F.R. 231, 1973, 2403, 2872, 5090, 11670, 14399; 11 F.R. 2115, 2447, 4031.

given or withheld on the same basis as if the employer had applied for it before putting the wage or salary increase into effect.

SEC. 202. *Waiver resulting from institution of unapproved increase.* The making on or after February 14, 1946 and during the continuation of the stabilization laws of an unapproved wage or salary increase shall be deemed to be a waiver, unless and until the increase is approved, of any right which the employer might otherwise have to use such increase in whole or in part as a basis for seeking or obtaining an increase in price or rent ceilings or for resisting an otherwise justifiable reduction in price or rent ceilings or (in the case of products or services being furnished under contract with a federal procurement agency) for increasing costs to the United States or (in the case of a public utility or common carrier) for seeking an increase in rates.

Approved: July 26, 1946.

JOHN R. STEELMAN,

Director of Economic Stabilization.

[F. R. Doc. 46-12854; Filed, July 29, 1946;
9:42 a. m.]

TITLE 33—NAVIGATION AND
NAVIGABLE WATERS

Chapter I—Coast Guard: Department of the Treasury

PART 9—REGULATIONS RELATING TO THE REMOVAL AND EXCLUSION OF PERSONS FROM VESSELS AND WATERFRONT FACILITIES

Pursuant to the authority contained in section I, Title II of the act approved June 15, 1941 (40 Stat. 220; 50 U.S.C. 191), and by virtue of Proclamation No. 2412, dated June 27, 1940 (3 CFR Cum. Supp.) the regulations relating to the removal and exclusion of persons from vessels and waterfront facilities, contained in §§ 9.1, 9.2, 9.3, 9.4, 9.101, 9.102, 9.103 and 9.104 are hereby cancelled effective on publication in the FEDERAL REGISTER.

[SEAL]

JOHN W. SNYDER,
Secretary of the Treasury.

Approved: July 19, 1946.

HARRY TRUMAN,
The White House.

[F. R. Doc. 46-12830; Filed, July 26, 1946;
5:05 p. m.]

TITLE 43—PUBLIC LANDS: INTERIOR
Subtitle A—Office of the Secretary of the Interior

[Order 2233]

PART 4—DELEGATIONS OF AUTHORITY

JULY 26, 1946.

Order No. 1795, dated March 11, 1943 (8 F.R. 3217), and §§ 4.1 to 4.4, inclusive, of Part 4 are revoked and new §§ 4.0, 4.1, 4.2, and 4.3 are added to Part 4 to become effective August 1, 1946, and to read as follows:

Sec.

4.0 Authority of Under Secretary and Assistant Secretaries.
 4.1 Policy supervision.
 4.2 Departmental mail.
 4.3 Succession of authority.

AUTHORITY: §§ 4.0 to 4.3, inclusive, issued under R. S. 161, 438, 439, 49 Stat. 177; 5 U.S.C. 22, 481a, 482, 483.

§ 4.0 Authority of Under Secretary and Assistant Secretaries. The Under Secretary and each Assistant Secretary may exercise all of the powers, authority, and discretion of the Secretary of the Interior with respect to any matter which comes before them respectively.

§ 4.1 Policy supervision. (a) All bureaus and offices are directly responsible to the Secretary or, in his absence or unavailability, to the Under Secretary. These officials will be consulted on all questions of policy or administration which require Secretarial action, except that the indicated Assistant Secretary will in the normal course be consulted initially with respect to matters assigned to him pursuant to paragraph (b) of this section. The Secretary or Under Secretary will refer any matter to one of the Assistant Secretaries when the demands upon his time do not permit personal attention. This line of authority shall in no way impair the responsibilities and review functions of the several policy, legal or administrative offices of the Department.

(b) Assistant Secretary Gardner is assigned the initial responsibility for all matters connected with departmental program coordination and Assistant Secretary Davidson the initial responsibility for all matters connected with departmental regionalization. From time to time there will in addition be assigned specific problems or problem areas to the Assistant Secretaries. With respect to any such assignment all bureaus and offices will in the normal course consult initially the specified Assistant Secretary on all questions of policy, program or administration which may require Secretarial attention and are connected with such assignments.

§ 4.2 Departmental mail. All mail and papers requiring action at the Secretarial level will be set up for signature by "Secretary of the Interior" (and placed on the appropriate letterhead under existing orders, using "Office of the Secretary" in case of doubt). The head of the bureau or office will route directly to the Secretary policy matters requiring his early personal attention; the Mail Room will distribute all other papers and mail to one or the other of the Assistant Secretaries, in accordance with instructions given from time to time by the Secretary, for initial attention.

§ 4.3 Succession of authority. In the absence of the Secretary, the Under Secretary will act as Secretary of the Interior; in the absence of both, Assistant Secretary Gardner will so act; in the absence of all three, Assistant Secretary Davidson will so act.

J. A. KRUG,

Secretary of the Interior.

[F. R. Doc. 46-12786; Filed, July 26, 1946;
 3:16 p. m.]

No. 147—4

TITLE 46—SHIPPING

Chapter I—Coast Guard: Inspection and Navigation

CASUALTY AND VOYAGE RECORDS

By virtue of the authority vested in me by R.S. 4405, 4417a, 4426, 4448, 4450, as amended, 18 Stat. 128, 38 Stat. 1164, 49 Stat. 1544, sec. 5 (e), 55 Stat. 244 (46 U.S.C. 367, 375, 391a, 404, 234, 239; 33 U.S.C. 361-366; 50 U.S.C. 1275), and section 101 of the Reorganization Plan No. 3 of 1946, effective July 16, 1946, the following amendments to the regulations are prescribed and shall be made effective August 20, 1946:

Subchapter D—Tank Vessels

PART 35—OPERATION

NAVIGATION

Section 35.2-9 is amended to read as follows:

§ 35.2-9 Notice of casualty and voyage records—TB/ALL. (a) The owner, agent, master, or person in charge of a vessel involved in a marine casualty shall give notice as soon as possible to the nearest marine inspection office of the U. S. Coast Guard whenever the casualty results in any of the following:

(1) Damage to property in excess of \$1,500.00.

(2) Material damage affecting the seaworthiness or efficiency of a vessel.

(3) Stranding or grounding.

(4) Loss of life.

(5) Injury causing any person to remain incapacitated for a period in excess of 72 hours.

(b) The notice required in the above paragraph shall show the name and official number of the vessel involved, the owner or agent thereof, the nature and probable cause of the casualty, the locality in which it occurred, the nature and extent of injury to persons and the damage to property.

(c) In addition to the notice required above, the person in charge of the vessel shall, as soon as possible, report in writing and in person to the Officer in Charge, Marine Inspection, at the port in which the casualty occurred or nearest the port of first arrival: *Provided*, That when from distance it may be inconvenient to report in person it may be done in writing only. The written report required herein shall be made on Form NAVCG-924E in case of death or serious injury to persons where there is no damage to property and on Form NAVCG-2692 in all other cases.

NOTE: If filed without delay these forms may also provide the notice required by paragraph (a) of this section.

(d) The owner, agent, master, or other person in charge of any vessel involved in a marine casualty shall retain such voyage records of the vessel as are maintained by the vessel, such as both rough and smooth deck and engine room logs, bell books, navigation charts, navigation work books, compass deviation cards, gyro compass records, stowage plans, record of draft, aids to mariners, radiograms sent and received, the radio log and crew and passenger lists. The owner, agent, master, or other officer in charge, shall make these records available to a duly

charge, shall make those records available to a duly authorized Coast Guard officer or employee for examination upon request.

(e) Whenever a vessel collides with a lightship, buoy, or other aid to navigation under the jurisdiction of the Coast Guard, or is connected with any such collision, it shall be the duty of the person in charge of such vessel to report the accident to the nearest Officer in Charge, Marine Inspection. No report on Form NAVCG 2629 is required unless any of the results listed in paragraphs (a) (1) to (a) (5) inclusive, of this section, occurs.

Subchapter G—Ocean and Coastwise: General Rules and Regulations

PART 62—SPECIAL OPERATING REQUIREMENTS

Section 62.16 is amended to read as follows:

§ 62.16 Notice of casualty and voyage records. (a) The owner, agent, master, or person in charge of a vessel involved in a marine casualty shall give notice as soon as possible to the nearest marine inspection office of the U. S. Coast Guard whenever the casualty results in any of the following:

(1) Damage to property in excess of \$1,500.00.

(2) Material damage affecting the seaworthiness or efficiency of a vessel.

(3) Stranding or grounding.

(4) Loss of life.

(5) Injury causing any persons to remain incapacitated for a period in excess of 72 hours.

(b) The notice required in the above paragraph shall show the name and official number of the vessel involved, the owner or agent thereof, the nature and probable cause of the casualty, the locality in which it occurred, the nature and extent of injury to persons and the damage to property.

(c) In addition to the notice required above, the person in charge of the vessel shall, as soon as possible, report in writing and in person to the Officer in Charge, Marine Inspection, at the port in which the casualty occurred or nearest the port of first arrival: *Provided*, That when from distance it may be inconvenient to report in person it may be done in writing only. The written report required herein shall be made on Form NAVCG-924E in case of death or serious injury to persons where there is no damage to property and on Form NAVCG-2692 in all other cases.

NOTE: If filed without delay these forms may also provide the notice required by paragraph (a) of this section.

(d) The owner, agent, master, or other person in charge of any vessel involved in a marine casualty shall retain such voyage records of the vessel as are maintained by the vessel, such as both rough and smooth deck and engine room logs, bell books, navigation charts, navigation work books, compass deviation cards, gyro compass records, stowage plans, record of draft, aids to mariners, radiograms sent and received, the radio log and crew and passenger lists. The owner, agent, master, or other officer in charge, shall make these records available to a duly

authorized Coast Guard officer or employee for examination upon request.

(e) Whenever a vessel collides with a lightship, buoy, or other aid to navigation under the jurisdiction of the Coast Guard, or is connected with any such collision, it shall be the duty of the person in charge of such vessel to report the accident to the nearest Officer in Charge, Marine Inspection. No report on Form NAVCG-2692 is required unless any of the results listed in paragraphs (a) (1) to (a) (5), inclusive, of this section occurs.

Subchapter H—Great Lakes: General Rules and Regulations

PART 78—LICENSED OFFICERS AND CERTIFIED MEN

INSPECTED VESSELS

Section 78.16 is amended to read as follows:

§ 78.16 *Notice of casualty and voyage records.* (See § 62.16 of this chapter, as amended, which is identical with this section.)

Subchapter I—Bays, Sounds, and Lakes Other Than the Great Lakes: General Rules and Regulations

PART 96—LICENSED OFFICERS AND CERTIFIED MEN

Section 96.16 is amended to read as follows:

§ 96.16 *Notice of casualty and voyage records.* (See § 62.16 of this chapter, as amended, which is identical with this section.)

Subchapter J—Rivers: General Rules and Regulations

PART 115—LICENSED OFFICERS

Section 115.16 is amended to read as follows:

§ 115.16 *Notice of casualty and voyage records.* (See § 62.16 of this chapter, as amended, which is identical with this section.)

Subchapter K—Seamen

PART 136—“A” MARINE INVESTIGATION BOARD RULES

Section 136.103 is amended to read as follows:

§ 136.103 *Notice of casualty and voyage records.* (a) The owner, agent, master, or person in charge of a vessel involved in a marine casualty shall give notice as soon as possible to the nearest marine inspection office of the U. S. Coast Guard whenever the casualty results in any of the following:

- (1) Damage to property in excess of \$1,500.00.
- (2) Material damage affecting the seaworthiness or efficiency of a vessel.
- (3) Stranding or grounding.
- (4) Loss of life.
- (5) Injury causing any person to remain incapacitated for a period in excess of 72 hours.

(b) The notice required in the above paragraph shall show the name and official number of the vessel involved, the owner or agent thereof, the nature and probable cause of the casualty, the locality in which it occurred, the nature

and extent of injury to persons and the damage to property.

(c) In addition to the notice required above, the person in charge of the vessel shall, as soon as possible, report in writing and in person to the Officer in Charge, Marine Inspection, at the port in which the casualty occurred or nearest the port of first arrival: *Provided*, That when from distance it may be inconvenient to report in person it may be done in writing only. The written report required herein shall be made on Form NAVCG-924E in case of death or serious injury to persons where there is no damage to property and on Form NAVCG-2692 in all other cases.

NOTE: If filed without delay these forms may also provide the notice required by paragraph (a) of this section.

(d) The owner, agent, master, or other person in charge of any vessel involved in a marine casualty shall retain such voyage records of the vessel as are maintained by the vessel, such as both rough and smooth deck and engine room logs, bell books, navigation charts, navigation work books, compass deviation cards, gyro compass records, stowage plans, record of draft, aids to mariners, radio-grams sent and received, the radio log and crew and passenger lists. The owner, agent, master, or other officer in charge, shall make these records available to a duly authorized Coast Guard officer or employee for examination upon request.

(e) Whenever a vessel collides with a lightship, buoy, or other aid to navigation under the jurisdiction of the Coast Guard, or is connected with any such collision, it shall be the duty of the person in charge of such vessel to report the accident to the nearest Officer in Charge, Marine Inspection. No report on Form NAVCG-2692 is required unless any of the results listed in paragraphs (a) (1) to (a) (5), inclusive, of this section, occurs.

Dated: July 25, 1946.

[SEAL] **MERLIN O'NEILL,**
Rear Admiral, U. S. C. G.,
Acting Commandant.

[F. R. Doc. 46-12831; Filed, July 26, 1946; 5:05 p. m.]

Chapter III—War Shipping Administration

[Rev. Gen. Order 23, Supp. 1]

PART 310—MERCHANT MARINE TRAINING

MISCELLANEOUS AMENDMENTS

Effective as of July 1, 1946, General Order 23, Revised, is amended as follows:

1. Paragraph (c) of § 310.18 *Physical examinations and medical treatment* is amended to read:

(c) Physical examination reports shall be made on a form prescribed by the commandant. Defects considered not sufficient to disqualify an enrollee from the performance of the duties of his rank may be waived by the commandant. For four years thereafter additional waivers

for the same disability will not be required for the performance of administrative or training duty or release therefrom, if the degree of such disability is not materially increased.

2. Section 310.21 *Rates of pay* is amended by revising paragraph (b) to read:

(b) After June 30, 1946, an enrollee paid at the rates prescribed in paragraph (a) of this section shall not be paid additional compensation for administrative duty. Pay and allowances for administrative duty in effect on June 30, 1946, shall be granted if such pay and allowances are greater than the pay prescribed in paragraph (a) of this section. When promoted, an enrollee shall receive the pay of his new grade or rating as prescribed in paragraph (a) of this section or the same pay (including administrative duty allowance) as he received for his lower grade as of June 30, 1946, whichever is the greater.

and paragraph (f) is revised to read:

(f) An enrollee above the grade of warrant officer assigned to duty aboard a training vessel may receive additional pay not exceeding 10% of the pay prescribed for his grade.

3. Paragraph (a) of § 310.25 *Subsistence* is amended to read:

(a) Officers and warrant officers shall be entitled, while on administrative duty, to the following rental and subsistence allowances:

	With dependents		Without dependents	
	Rental allowance	Subsistence allowance	Rental allowance	Subsistence allowance
Captain or above	\$120	\$42	\$105	\$21
Commander	120	63	105	21
Lieutenant commander	105	63	90	21
Lieutenant	90	42	75	21
Lieutenant (jg)	75	42	60	21
Ensign	60	42	45	21
Chief warrant officer	75	42	60	21
Warrant officer	60	42	45	21

(E.O. 9083 and 9054; 3 CFR Cum. Supp.)

GRANVILLE CONWAY,
Administrator.

JULY 26, 1946.

[F. R. Doc. 46-12942; Filed, July 29, 1946; 11:18 a. m.]

TITLE 49—TRANSPORTATION AND RAILROADS

Chapter I—Interstate Commerce Commission

[S. O. 559]

PART 95—CAR SERVICE

DEMURRAGE CHARGES ON GONDOLA, OPEN AND COVERED HOPPER CARS

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 25th day of July A. D. 1946.

It appearing, that gondola, open and covered hopper cars are being delayed unduly in loading and unloading, or while held for orders, bill of lading, payment of freight charges, reconsignment, diversion, reshipment, inspection, or forwarding directions, causing a shortage of equipment and impeding and diminishing the use, control, supply, movement, distribution, exchange, interchange, and return of such cars; in the opinion of the Commission an emergency requiring immediate action exists in all sections of the country. It is ordered, that:

Demurrage charges on gondola, open and covered hopper cars—(a) Cars not subject to an average agreement. When demurrage detention occurs, for which charges are or may be lawfully provided by tariffs, the demurrage charges on a gondola, open or covered hopper car, not included in an average agreement, held for orders, bill of lading, payment of freight charges, reconsignment, diversion, reshipment, inspection, forwarding directions, loading or unloading shall be \$2.20 per car per day or a fraction thereof for the first two (2) days; \$5.50 per car per day or a fraction thereof for the third day; \$11 per car per day or a fraction thereof for the fourth day; and \$16.50 per car per day or a fraction thereof for each succeeding day.

(b) Cars subject to an average agreement. When demurrage detention occurs, for which charges are or may be lawfully provided by tariffs, the demurrage charges on a gondola, open or covered hopper car, included in an average agreement, held for orders, bill of lading, payment of freight charges, reconsignment, diversion, reshipment, inspection, forwarding directions, loading or unloading shall be \$2.20 per car per day or a fraction thereof for the first two (2) days; \$5.50 per car per day or a fraction thereof for the third day; \$11 per car per day or a fraction thereof for the fourth day; and \$16.50 per car per day or a fraction thereof for each succeeding day. The \$2.20 per day debit charges may be offset or reduced by accrued credits as provided in applicable demurrage tariffs: *Provided, however,* That the \$5.50 per day, \$11 per day, and \$16.50 per day charges may not be offset or reduced.

(c) Application. (1) The provisions of this order shall apply to intrastate as well as interstate traffic.

(2) Description of cars. This order shall apply to cars suitable for interchange described under the headings Class G—Gondola Car Type, Class H—Hopper Car Type also covered hopper cars having a mechanical designation prefixed by "LO" in the current Official Railway Equipment Register.

(3) Exemptions. This order shall not apply to import, export, coastwise or intercoastal traffic, nor to hopper cars loaded or to be loaded with carbon black.

(4) Computation of demurrage on effective date of order. This order shall apply only on cars arriving on and after the effective date hereof.

(d) Effective date. This order shall become effective at 7:00 a. m., August 1, 1946.

(e) Expiration date. This order shall expire at 7:00 a. m., December 1, 1946, unless otherwise modified, changed, suspended or annulled by order of the Commission.

(f) Tariff provisions suspended. (1) Except as provided in section (2) of this paragraph the operation of all tariff rules, regulations or charges insofar as they conflict with the provisions of this order is hereby suspended.

(2) This order shall not affect Demurrage Rule 8 of Agent B. T. Jones' Tariff I. C. C. No. 3963 or similar rules in other tariffs, relating to adjusting, canceling or refunding demurrage charges arising from the unusual conditions or circumstances described in the said Rule 8 or similar rules in other tariffs.

(g) Announcement of suspension. Each railroad, or its agent, shall publish, file and post a supplement to each of its tariffs affected thereby, in substantial accordance with the provisions of Rule 9 (k) of the Commission's Tariff Circular No. 20 (§ 141.9 (k) of this chapter) announcing the suspension of the operation of any of the conflicting provisions therein, and establishing the substituted provisions set forth herein. (40 Stat. 101, sec. 402, 41 Stat. 476, sec. 4, 54 Stat. 901; 49 U. S. C. 1 (10)–(17))

It is further ordered, that a copy of this order and direction shall be served upon each State railroad regulatory body and upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

By the Commission, Division 3.

[SEAL]

W. P. BARTEL,
Secretary.

[F. R. Doc. 46-12944; Filed, July 29, 1946;
11:30 a. m.]

TITLE 50—WILDLIFE

Chapter I—Fish and Wildlife Service

[Area Coordinator's Gen. Direction 46 H 14]

PART 298—PRODUCTION OF FISHERY COMMODITIES OR PRODUCTS

ALLOCATION OF HALIBUT

Pursuant to Order No. 1956 of the Secretary of the Interior, as amended April 23, 1946, commonly referred to as the "Halibut Order," 50 CFR, § 298.4 entitled "Allocation of Halibut", and in order to accomplish the purposes thereof, this General Direction No. 46 H 14 is issued.

1. All allocation schedules set up under paragraph (1) are hereby suspended until further notice subject to the requirement that all dealers possess permits to purchase halibut.

2. Any person possessing a valid permit may operate as a dealer without limit on his purchases.

3. Permits suspended because poundage allocations have been reached or exceeded are again valid and not subject to such allocations.

4. Permits for unlimited poundage will be issued to any person upon request to the Area Coordinator.

Issued this 22d day of July 1946.

H. W. PERHUNE,
Area Coordinator.

[F. R. Doc. 46-12862; Filed, July 29, 1946;
10:29 a. m.]

Notices

DEPARTMENT OF THE INTERIOR.

Coal Mines Administration.

[Order CMAN T-6]

PITTSBURGH STEEL CO. ET AL.

TERMINATION OF POSSESSION OF CERTAIN BITUMINOUS COAL MINES

On the basis of information available to the Coal Mines Administration and after consideration of all of the circumstances and in accordance with the provisions of Executive Order No. 9728 (11 F.R. 5593) and the War Labor Disputes Act (57 Stat. 163) I find that the possession by the government of certain of the coal mines now in the possession of the government pursuant to order of the Secretary of the Interior No. 2200 (11 F.R. 5603) should be terminated.

Accordingly I order and direct that possession by the government of the coal mines listed in Appendix A of this order including any and all real and personal property, franchises, rights, facilities, funds and other assets used in connection with the operation of such mines, possession of which was taken pursuant to said Executive order and order of the Secretary of Interior, be, and it is hereby terminated, and that there be conspicuously displayed at such mining properties copies of a poster to be supplied by the Coal Mines Administration and reading as follows:

NOTICE

Government possession and control of the coal mines of this mining company have been terminated by order of the Secretary of the Interior.

Nothing contained herein shall be deemed to preclude the government from requiring the submission of information relating to operations during the period of government possession, for the purpose of ascertaining the existence and amount of claims against the United States, if any, so that administration of provisions of Executive Order No. 9728, pursuant to which government possession was taken, may be concluded in an orderly manner.

This order shall become effective as of 12:01 a. m., July 27, 1946.

BEN MORELL,
Admiral, CEC, USN,
Coal Mines Administrator.

JULY 26, 1946.

APPENDIX A

Company, Address and District

Pittsburgh Steel Co.; 1600 Grant Street, Pittsburgh, Pa.; 2.

The Brettell Coal Co.; 610 Commercial St., Mingo Junction, Ohio; 4.

Rhoten & Frysinger Constr. Co.; 16 East Broad Street, Columbus, Ohio; 4.

The Rhodes Mining Co.; 16 East Broad Street, Columbus, Ohio; 4.

Bowman-Kerschner Mining Co.; Box 515, New Straitsville, Ohio; 4.

Belva No. 2 Mine of Kentucky Straight Creek Coal Co.; Four Mile, Ky.; 8.

L. R. Chapman; Box 331, Madisonville, Ky.; 9.

Maginnis Coal Co., Inc.; Morganfield, Ky.; 9. 20th Century Coal Co., Inc.; Beaverdam, Ky.; 9.

Uniontown Coal Co., Inc.; Uniontown, Ky.; 9.

Davis Coal Co.; Petersburg, Ind.; 11.

East Madrid Coal Co. (formerly East Madrid Co-op.); Madrid, Iowa; 12.

J. H. Bennett; Watson, Ala.; 13.

[F. R. Doc. 46-12860; Filed, July 29, 1946; 10:28 a. m.]

Office of the Secretary.

PUBLIC LANDS WITHDRAWAL PROCEDURE

JULY 24, 1946.

Effective immediately the following policy will be observed in connection with the withdrawal of Federal public lands by Executive order or public land order where the withdrawal is at the instance of an agency of this Department:

1. The draft order when presented to the Secretary for signature should be accompanied by a memorandum explaining the necessity for and the purpose of the withdrawal in reasonably complete detail, including also a statement of the areas and interests that may be affected by it.

2. Whenever feasible the agency proposing a withdrawal shall by public notice and hearing, or otherwise, secure and transmit the views of interested persons, on the desirability of making the withdrawal before it is submitted to the Secretary for signature.

3. Publication of the order in the FEDERAL REGISTER, and through the Division of Information, in every case may, and in those cases where no prior hearing has been held as provided in paragraph 2 shall be accompanied by a notice to the public that for thirty days thereafter the Department will receive objections to the order. Such objections should be in writing, should be addressed to the Secretary and should be filed in duplicate in Washington.

4. In cases where objection is filed and the nature of the opposition is such as to warrant it, a public hearing shall within 15 days be announced by the Secretary to be held at a convenient time and place where opponents to the order may state their views and where the proponents of the order can explain its purpose, intent and extent. The hearings officer, who shall be designated by the Secretary, shall file a report with recommendations within 30 days after the conclusion of the hearing.

5. If upon the expiration of the time for filing protests it is determined by the

Secretary that no hearing is to be held, the head of the bureau originating the withdrawal shall report to the Secretary the substance of any objections filed and his recommendation to rescind, modify, or let stand the order of withdrawal. Notice of the final action of the Secretary shall be given to all interested parties of record and the general public.

J. A. KRUG,
Secretary of the Interior.

[F. R. Doc. 46-12865; Filed, July 29, 1946; 10:29 a. m.]

DEPARTMENT OF AGRICULTURE.

Rural Electrification Administration.

[Administrative Order 1105]

ALLOCATION OF FUNDS FOR LOANS

JULY 16, 1946.

By virtue of the authority vested in me by the provisions of section 4 of the Rural Electrification Act of 1936, as amended, I hereby allocate, from the sums authorized by said act, funds for a loan for the project and in the amount as set forth in the following schedule:

Project designation:	Amount
Florida 24D Monroe	\$395,000

[SEAL] CLAUDE R. WICKARD,
Administrator.

[F. R. Doc. 46-12876; Filed, July 29, 1946; 11:12 a. m.]

[Administrative Order 1106]

ALLOCATION OF FUNDS FOR LOANS

JULY 19, 1946.

By virtue of the authority vested in me by the provisions of section 4 of the Rural Electrification Act of 1936, as amended. I hereby allocate, from the sums authorized by said act, funds for loans for the projects and in the amounts as set forth in the following schedule:

Project designation:	Amount
Texas 76M Blanco	\$620,000
Texas 100M Washington	485,000

[SEAL] CLAUDE R. WICKARD,
Administrator.

[F. R. Doc. 46-12877; Filed, July 29, 1946; 11:12 a. m.]

CIVIL AERONAUTICS BOARD.

[Docket No. 2378]

RESOLUTIONS OF SECOND NORTH ATLANTIC TRAFFIC CONFERENCE

NOTICE OF HEARING

In the matter of the application for approval under section 412 (a) of the Civil Aeronautics Act of 1938, as amended, of resolutions 1 to 14 of the second North Atlantic Traffic Conference of the International Air Transport Association.

Notice is hereby given that the above-entitled matter is assigned for hearing on August 1, 1946, at 10:00 a. m. (Eastern Standard Time), in Conference Room C, Departmental Auditorium, Constitu-

tion Avenue between 13th and 14th Streets NW., Washington, D. C., before Examiner William J. Madden.

Dated at Washington, D. C., July 29, 1946.

By the Civil Aeronautics Board.

[SEAL] M. C. MULLIGAN,
Secretary.

[F. R. Doc. 46-12864; Filed, July 29, 1946; 10:56 a. m.]

FEDERAL COMMUNICATIONS COMMISSION.

[Docket No. 7672]

EAGLE PRINTING CO., INC.

ORDER DESIGNATING APPLICATION FOR HEARING ON STATED ISSUES

In re application of Eagle Printing Co., Inc., Butler, Pennsylvania, for construction permit; File No. B2-P-4800.

At a session of the Federal Communications Commission, held at its offices in Washington, D. C., on the 18th day of July 1946;

The Commission having under consideration the above-entitled application requesting a construction permit for a new standard broadcast station to operate on 1230 kc, with 250 watts power, unlimited time, at Butler, Pennsylvania;

It is ordered, That the said application be, and it is hereby, designated for hearing upon the following issues:

1. To determine the legal, technical, financial, and other qualifications of the applicant corporation, its officers, directors and stockholders to construct and operate the proposed station.

2. To determine the areas and populations which may be expected to gain or lose primary service from the operation of the proposed station and the character of other broadcast service available to those areas and populations.

3. To determine the type and character of program service proposed to be rendered and whether it would meet the requirements of the populations and areas proposed to be served.

4. To determine whether the operation of the proposed station would involve objectionable interference with any existing broadcast stations, particularly with reference to WCED, DuBois, Pennsylvania, WERC, Erie, Pennsylvania, WAJR Morgantown, West Virginia, and WCAE, Pittsburgh, Pennsylvania, and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

5. To determine whether the operation of the proposed station would involve objectionable interference with the services proposed in the pending application of Allen P. Simmons (WADC) requesting an operation on the frequency 1220 kilocycles with 50 kilowatts power (File No. B2-P-4243, Docket No. 7319) or in any other pending applications for broadcast facilities and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

6. To determine whether the installation and operation of the proposed station would be in compliance with the Commission's rules and Standards of Good Engineering Practice concerning standard broadcast stations.

By the Commission.

[SEAL]

T. J. SLOWIE,
Secretary.

[F. R. Doc. 46-12767; Filed, July 26, 1946;
12:00 p. m.]

[Docket No. 7673]

HARTFORD TIMES, INC. (WTHT)

ORDER DESIGNATING APPLICATION FOR CONSOLIDATED HEARING ON STATED ISSUES

In re application of The Hartford Times, Inc. (WTHT), Hartford, Connecticut, for construction permit; File No. B1-P-5006.

At a session of the Federal Communications Commission, held at its offices in Washington, D. C., on the 18th day of July 1946.

The Commission having under consideration the above-entitled application for a construction permit to change the frequency of Station WTHT, at Hartford, Connecticut, from 1230 kc to 910 kc, increase power from 250 watts to 5 kw, install a new transmitter, change transmitter location, and install a directional antenna for day and night use;

It is ordered, That the said application be, and it is hereby, designated for hearing in a consolidated proceeding with the application of Central Connecticut Broadcasting Company (File No. B1-P-4505, Docket No. 7567), requesting the same frequency for a new standard station at New Britain, Connecticut, upon the following issues:

1. To determine the technical, financial, and other qualifications of the applicant corporation, its officers, directors and stockholders, to construct and operate Station WTHT as proposed.

2. To determine the areas and populations which may be expected to gain or lose primary service from the operation of Station WTHT as proposed, and the character of other broadcast service available to those areas and populations.

3. To determine the type and character of program service proposed to be rendered and whether it would meet the requirements of the populations and areas proposed to be served.

4. To determine whether the operation of Station WTHT as proposed would involve objectionable interference with any existing or proposed broadcast stations and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

5. To determine whether the installation and operation of Station WTHT as proposed would be in compliance with the Commission's rules and Standards of Good Engineering Practice concerning standard broadcast stations.

6. To determine whether the erection of the proposed antenna system would be consistent with the requirements of the Civil Aeronautics Administration.

7. To determine on a comparative basis which, if either, of the applications in this consolidated proceeding should be granted.

It is further ordered, That the order of the Commission dated May 10, 1946, designating the said application of Central Connecticut Broadcasting Company for hearing, be, and it is hereby, amended to include the above-entitled application of The Hartford News, Inc. (WTHT).

By the Commission.

[SEAL]

T. J. SLOWIE,
Secretary.

[F. R. Doc. 46-12768; Filed July 26, 1946;
12:00 m.]

[Docket No. 7674]

WESTINGHOUSE RADIO STATIONS, INC.
(WOWO)

ORDER DESIGNATING APPLICATION FOR CONSOLIDATED HEARING ON STATED ISSUES

In re application of Westinghouse Radio Stations, Inc. (WOWO), Fort Wayne Indiana, for construction permit; File No. B4-P-4019.

At a session of the Federal Communications Commission, held at its offices in Washington, D. C., on the 18th day of July 1946;

The Commission having under consideration the above-entitled application requesting a construction permit to increase the operating power of Station WOWO on the frequency 1190 kilocycles at Fort Wayne, Indiana, from 10 kw. to 50 kw., install a new transmitter, change transmitter location, and install a directional antenna;

It is ordered, That the said application be, and it is hereby, designated for hearing in a consolidated proceeding with the application of Indianapolis Broadcasting, Inc. (WIRE) (File No. B4-P-4646), requesting a construction permit to change the frequency of Station WIRE from 1430 kc to 1190 kc, increase power from 5 kw. to 50 kw., install a new transmitter, change the transmitter location, and install a directional antenna for nighttime use, to operate unlimited time, at Indianapolis, Indiana, upon the following issues:

1. To determine the technical, financial, and other qualifications of the applicant corporation, its officers, directors and stockholders, to construct and operate Station WOWO as proposed.

2. To determine the areas and populations which may be expected to gain or lose primary service from the operation of Station WOWO as proposed and the character of other broadcast service available to those areas and populations.

3. To determine the type and character of program service proposed to be rendered and whether it would meet the requirements of the populations and areas proposed to be served.

4. To determine whether the operation of Station WOWO as proposed would involve objectionable interference with any existing broadcast station and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

5. To determine whether the operation of Station WOWO as proposed would involve objectionable interference with the services proposed in any pending applications and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

6. To determine whether the installation and operation of Station WOWO as proposed would be in compliance with the Commission's rules and Standards of Good Engineering Practice concerning standard broadcast stations.

7. To determine whether the erection of the antenna system proposed would be consistent with the requirements of the Civil Aeronautics Administration.

8. To determine on a comparative basis which, if either, of the applications in this consolidated proceeding should be granted.

By the Commission.

[SEAL]

T. J. SLOWIE,
Secretary.

[F. R. Doc. 46-12769; Filed, July 26, 1946;
12:00 m.]

[Docket No. 7675]

INDIANAPOLIS BROADCASTING, INC. (WIRE)

ORDER DESIGNATING APPLICATION FOR CONSOLIDATED HEARING ON STATED ISSUES

In re application of Indianapolis Broadcasting, Inc. (WIRE), Indianapolis, Indiana, for construction permit; File No. B4-P-4646.

At a session of the Federal Communications Commission, held at its offices in Washington, D. C., on the 18th day of July 1946;

The Commission having under consideration the above-entitled application requesting a construction permit to change the frequency of station WIRE from 1430 kc to 1190 kc, increase power from 5 kw. to 50 kw., install a new transmitter, change the transmitter location, and install a directional antenna for nighttime use, to operate unlimited time at Indianapolis, Indiana;

It is ordered, That the said application be, and it is hereby, designated for hearing in a consolidated proceeding with the application of the Westinghouse Radio Stations, Inc. (File No. B4-P-4019), requesting a construction permit to increase the operating power of WOWO on the frequency 1190 kilocycles at Ft. Wayne, Indiana, from 10 kw to 50 kw, install a new transmitter, change transmitter location, and install a directional antenna, upon the following issues:

1. To determine the legal, technical, financial, and other qualifications of the applicant corporation, its officers, directors and stockholders to construct and operate station WIRE as proposed.

2. To determine the areas and populations which may be expected to gain or lose primary service from the operation of station WIRE as proposed and the character of other broadcast service available to those areas and populations.

3. To determine the type and character of program service proposed to be rendered and whether it would meet the requirements of the populations and areas proposed to be served.

FEDERAL REGISTER, Tuesday, July 30, 1946

requirements of the populations and areas proposed to be served.

4. To determine the overlap, if any, that will exist between the service areas of the operation of station WIRE as proposed and of WADC, Vincennes, Indiana, the nature and extent thereof, and whether such overlap is in contravention of § 3.35 of the Commission's rules.

5. To determine whether the operation of station WIRE as proposed would involve objectionable interference with any existing broadcast stations and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

6. To determine whether the operation of station WIRE as proposed would involve objectionable interference with the services proposed in any pending applications and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

7. To determine whether the installation and operation of station WIRE as proposed would be in compliance with the Commission's rules and Standards of Good Engineering Practice concerning standard broadcast stations.

8. To determine whether the erection of the proposed antenna system would be consistent with Civil Aeronautics Administration requirements.

9. To determine on a comparative basis which, if either, of the applications in this consolidated proceeding should be granted.

By the Commission.

[SEAL]

T. J. SLOWIE,
Secretary.

[F. R. Doc. 46-12770; Filed, July 26, 1946;
12:00 m.]

[Docket No. 7676]

WOLVERINE STATE-BROADCASTING SERVICE,
INC.

ORDER DESIGNATING APPLICATION FOR CON-
SOLIDATED HEARING ON STATED ISSUES

In re application of Wolverine State Broadcasting Service, Inc., Detroit, Michigan, for construction permit; File No. B2-P-4971.

At a session of the Federal Communications Commission, held at its offices in Washington, D. C., on the 18th day of July 1946;

The Commission having under consideration the above-entitled application of Wolverine State Broadcasting Service, Inc., requesting a construction permit for a new standard broadcast station to operate on the frequency 680 kc, 250 watts power, daytime only, at Detroit, Michigan;

It is ordered, That the said application be, and it is hereby designated for hearing in a consolidated proceeding with the application of Herman Radner (File No. B2-P-3180, Docket No. 6220) for a construction permit for a new standard broadcast station to operate on the frequency 680 kc, 250 watts, unlimited time, at Dearborn, Michigan, upon the following issues:

1. To determine the legal, technical, financial and other qualifications of applicant corporation, its officers, directors and stockholders to construct and operate the proposed station.

2. To determine the areas and populations which would gain primary service through the operation of the proposed station and what other broadcast services are available to those areas and populations.

3. To determine the type and character of program service proposed to be rendered and whether it would meet the requirements of the areas and populations proposed to be served.

4. To determine whether the operation of the proposed station would involve objectionable interference with the service of any existing broadcast station, the nature and extent of any such interference, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

5. To determine whether the operation of the proposed station would involve objectionable interference with the service of the stations proposed in any pending applications, the nature and extent of any such interference, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

6. To determine whether the installation and operation of the proposed station would be in compliance with the Commission's rules and Standards of Good Engineering Practice concerning standard broadcast stations.

7. To determine on a comparative basis which, if either, of the applications in this consolidated proceeding should be granted.

It is further ordered, That the order of the Commission dated March 20, 1946, designating the said application of Herman Radner for hearing be, and it is hereby, amended to include the above-entitled application of Wolverine State Broadcasting Service, Inc.

By the Commission.

[SEAL]

T. J. SLOWIE,
Secretary.

[F. R. Doc. 46-12771; Filed, July 26, 1946;
12:00 m.]

[Docket No. 7677]

PENINSULA NEWSPAPERS, INC.

ORDER DESIGNATING APPLICATION FOR CON-
SOLIDATED HEARING ON STATED ISSUES

In re application of Peninsula Newspapers, Incorporated, Palo Alto, California, for construction permit; File No. B5-P-4803.

At a session of the Federal Communications Commission, held at its offices in Washington, D. C., on the 18th day of July 1946;

The Commission having under consideration the above-entitled application of Peninsula Newspapers, Incorporated requesting a construction permit for a new standard broadcast station to operate on the frequency 850 kc, 250 watts, daytime only, at Palo Alto, California;

It is ordered, That the said application be, and it is hereby, designated for hearing in a consolidated proceeding with the application of California-Nevada Broadcasting Company (File No. B5-P-4614, Docket No. 7564) requesting the same facilities at Vallejo, California, upon the following issues:

1. To determine the legal, technical, financial, and other qualifications of the applicant corporation, its officers, directors and stockholders, to construct and operate the proposed station.

2. To determine the areas and populations which may be expected to gain primary service from the operation of the proposed station and the character of other broadcast service available to those areas and populations.

3. To determine the type and character of program service proposed to be rendered and whether it would meet the requirements of the populations and areas proposed to be served.

4. To determine whether the operation of the proposed station would involve objectionable interference with station KTRB, Modesto, California, or with any other existing broadcast stations and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

5. To determine whether the operation of the proposed station would involve objectionable interference with the services proposed in any pending applications for broadcast facilities and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

6. To determine whether the installation and operation of the proposed station would be in compliance with the Commission's rules and Standards of Good Engineering Practice concerning standard broadcast stations.

7. To determine on a comparative basis which, if either, of the applications in this consolidated proceeding should be granted.

It is further ordered, That the order of the Commission dated May 2, 1946, designating the application of California-Nevada Broadcasting Company (File No. B5-P-4614, Docket No. 7564) for hearing and making KTRB Broadcasting Company Inc. (KTRB) a party to the proceedings be, and it is hereby, amended to include the above-entitled application of Peninsula Newspapers Incorporated.

By the Commission.

[SEAL]

T. J. SLOWIE,
Secretary.

[F. R. Doc. 46-12772; Filed, July 26, 1946;
12:00 m.]

[Docket Nos. 7678, 7679]

MODESTO BROADCASTING CO. AND TURLOCK BROADCASTING GROUP

ORDER DESIGNATING APPLICATIONS FOR CON-
SOLIDATED HEARING ON STATED ISSUES

In re applications of H. M. Williamson and Roy D. Johnson d/b as Modesto

Broadcasting Company, Modesto, California, File No. B5-P-4851, Docket No. 7678; Wallace N. Lindskoog, Luther G. Boone, Gordon E. Mowrer, Elmer A. Hyer, August Lindbloom, C. H. Lindgren, Wilbur Merrill, and Gilbert Moody d/b as Turlock Broadcasting Group, Turlock, California, File No. B5-P-4873, Docket No. 7679; for construction permits.

At a session of the Federal Communications Commission held at its offices in Washington, D. C. on the 18th day of July 1946;

The Commission having under consideration the two above listed applications both requesting construction permits for new standard stations in the cities indicated to operate unlimited time on the frequency 1450 kilocycles with 100 and 250 watts power respectively;

It is ordered. That the said applications be, and they are hereby, designated for hearing in a consolidated proceeding each upon the following issues:

1. To determine the legal, technical, financial, and other qualifications of the applicant partnership and the partners to construct and operate the proposed station.

2. To determine the areas and populations which would gain or lose primary service through the operation of the proposed station and what other broadcast services are available to those areas and populations.

3. To determine the type and character of program service proposed to be rendered and whether it would meet the requirements of the areas and populations proposed to be served.

4. To determine whether the operation of the proposed station would involve objectionable interference with any existing or proposed broadcast service, with particular reference to Station KSAN, San Francisco, California, and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

5. To determine whether the installation and operation of the proposed station would be in compliance with the Commission's rules and Standards of Good Engineering Practice concerning standard broadcast stations.

6. To determine, upon a comparative basis, which, if either, of the applications in this consolidated proceeding should be granted.

By the Commission.

[SEAL]

T. J. SLOWIE,
Secretary.

[F. R. Doc. 46-12773; Filed, July 26, 1946;
12:00 m.]

[Docket Nos. 7680-7689]

DON LEE BROADCASTING SYSTEM ET AL.

ORDER DESIGNATING APPLICATIONS FOR CON-
SOLIDATED HEARING ON STATED ISSUES

In re applications of Don Lee Broad-
casting System, San Francisco, Califor-
nia, Docket No. 7680, File No. B5-PH-38;
National Broadcasting Company, San
Francisco, California, Docket No. 7681,
File No. B5-PH-164; KJBS Broadcasters,

Company, San Francisco, California,
Docket No. 7682, File No. B5-PH-322;
Pacific Agricultural Foundation, Ltd.,
San Francisco, California, Docket No.
7683, File No. B5-PH-399; Hughes Tool
Company, San Francisco, California,
Docket No. 7684, File No. B5-PH-554;
Scripps-Howard Radio, Inc., San Fran-
cisco, California, Docket No. 7685, File
No. B5-PH-704; Chronicle Publishing
Company, San Francisco, California,
Docket No. 7686, File No. B5-PH-869;
Krow, Inc., Oakland, California, Docket
No. 7687, File No. B5-PH-990; Radio Di-
ablo, Inc., San Bruno, California, Docket
No. 7688, File No. B5-PH-1018; Pacific
Broadcasting Company, San Francisco,
California, Docket No. 7689, File No. B5-
PH-1031; for construction permits.

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 18th day of July 1946;

The Commission having under consideration the above-entitled applications for construction permits for new Class B FM broadcast stations in the San Francisco, California area; and

Whereas it appears that a possible maximum of nine Class B FM channels remain available in the vicinity of San Francisco;

It is ordered. That the above-entitled applications be designated for consolidated hearing, to be held in San Francisco, before Commissioner Wakefield, commencing August 12, 1946 at 10:00 a. m., upon the following issues:

1. To determine the legal, technical, financial, and other qualifications of the applicant to operate and construct the proposed station.

2. To obtain full information with respect to the nature and character of the proposed program service.

3. To determine the areas and populations which may be expected to receive service from the proposed station.

4. To determine on a comparative basis which, if any, of the applications in this consolidated proceeding should be granted.

[SEAL] FEDERAL COMMUNICATIONS
COMMISSION,
T. J. SLOWIE,
Secretary.

[F. R. Doc. 46-12774; Filed, July 26, 1946;
12:01 p. m.]

[Docket No. 7630]

JOSE E. DEL VALLE

ORDER DESIGNATING APPLICATION FOR CON-
SOLIDATED HEARING ON STATED ISSUES

In re application of Jose E. del Valle,
Santurce, Puerto Rico, for construction
permit. Docket No. 7630; File No. B-P-
4603.

At a session of the Federal Communications Commission, held at its offices in Washington, D. C., on the 13th day of June 1946;

The Commission having under consideration the above-entitled application requesting a construction permit for a new standard broadcast station to use 740 kc, 10 kw, unlimited time, at Santurce, Puerto Rico;

It is ordered. That the said application be, and it is hereby, designated for hearing in a consolidated proceeding with the application of Radio Corporation of Porto Rico (WKAQ) (File No. B-P-4864; Docket No. 7631) requesting a construction permit to change frequency to 740 kc, and to increase power to 10 kw, unlimited time, at San Juan, Puerto Rico, upon the following issues

1. To determine the legal, technical, financial, and other qualifications of the applicant to construct and operate the proposed station.

2. To determine the areas and populations which may be expected to gain primary service from the operation of the proposed station and the character of other broadcast service available to those areas and populations.

3. To determine the type and character of program service proposed to be rendered and whether it would meet the requirements of the populations and areas proposed to be served.

4. To determine whether the operation of the proposed station would involve objectionable interference with any existing or proposed broadcast stations and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

5. To determine whether the operation of the proposed station would involve interference to a station in Cuba using 740 kc., 10 kw. power, with directional antenna, as provided by the Interim Agreement of the Second North American Regional Broadcasting Conference, signed at Washington, D. C., on February 25, 1946, and the extent of any such interference.

6. To determine whether the installation and operation of the proposed station would be in compliance with the Commission's rules and Standards of Good Engineering Practice concerning standard broadcast stations.

7. To determine on a comparative basis which, if either, of the applications in this consolidated proceeding should be granted.

By the Commission.

[SEAL]

T. J. SLOWIE,
Secretary.

[F. R. Doc. 46-12775; Filed, July 26, 1946;
12:01 p. m.]

[Docket No. 7631]

RADIO CORP. OF PORTO RICO (WKAQ)

ORDER DESIGNATING APPLICATION FOR CON-
SOLIDATED HEARING ON STATED ISSUES

In re application of Radio Corpora-
tion of Porto Rico (WKAQ), San Juan,
Puerto Rico, for construction permit.
Docket No. 7631; File No. B-P-4864.

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 13th day of June 1946;

The Commission having under consideration the above-described application of Radio Corporation of Porto Rico (WKAQ) for a construction permit to change frequency to 740 kc, and to in-

crease power to 10 kw, unlimited time, at San Juan, Puerto Rico:

It is ordered, That said application of Radio Corporation of Porto Rico (WKAQ) be, and it is hereby designated for hearing in a consolidated proceeding with the application of Jose E. del Valle (File No. B-P-4603; Docket No. 7630) for a construction permit for a new standard broadcast station to use 740 kc, 10 kw, unlimited time, at Santurce, Puerto Rico, upon the following issues:

1. To determine the technical, financial, and other qualifications of the applicant, its officers, directors and stockholders to construct and operate Station WKAQ as proposed.

2. To determine the areas and populations which would gain or lose primary service through the operation of Station WKAQ as proposed and what other broadcast services are available to those areas and populations.

3. To determine the type and character of program service proposed to be rendered and whether it would meet the requirements of the areas and populations proposed to be served.

4. To determine whether the proposed operation of Station WKAQ would involve objectionable interference with any existing or proposed broadcast service and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

5. To determine whether the operation of Station WKAQ as proposed would involve interference to a station in Cuba using 740 kc, 10 kw power, with directional antenna, as provided by the Interim Agreement of the Second North American Regional Broadcasting Conference, signed at Washington, D. C., on February 25, 1946, and the extent of any such interference.

6. To determine whether the installation and operation of Station WKAQ as proposed would be in compliance with the Commission's rules and Standards of Good Engineering Practice concerning standard broadcast stations.

7. To determine upon a comparative basis which, if either, of the applications in this consolidated proceeding should be granted.

By the Commission.

[SEAL]

T. J. SLOWIE,
Secretary.

[F. R. Doc. 46-12776; Filed, July 26, 1946;
12:01 p. m.]

[Docket No. 7669]

TRI-CITIES BROADCASTING CO.

ORDER DESIGNATING APPLICATION FOR CONSOLIDATED HEARING ON STATED ISSUES

At a session of the Federal Communications Commission, held at its offices in Washington, D. C., on the 11th day of July 1946;

The Commission having under consideration the above-entitled application requesting a construction permit for a new standard station at Goose Creek, Texas, to operate on the frequency 1490 kc, 250 watts power, unlimited time;

It is ordered, That the said application be, and it is hereby designated for hearing upon the following issues:

1. To determine the legal, technical, financial, and other qualifications of the applicant corporation, its officers, directors and stockholders to construct and operate the proposed station.

2. To determine the areas and populations which may be expected to gain or lose primary service from the operation of the proposed station and the character of other broadcast service available to those areas and populations.

3. To determine the type and character of program service proposed to be rendered and whether it would meet the requirements of the populations and areas proposed to be served.

4. To determine whether the operation of the proposed station would involve objectionable interference with station KSAM, Huntsville, Texas, or with any other existing broadcast stations and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

5. To determine whether the operation of the proposed station would involve objectionable interference with the services proposed in the pending application of San Jacinto Broadcasting Company (File No. B3-P-3661, Docket No. 6725) requesting the frequency 1470 kilocycles, 1 kilowatt power, unlimited time, at Houston, Texas, or in any other pending applications for broadcast facilities and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

6. To determine whether the installation and operation of the proposed station would be in compliance with the Commission's rules and Standards of Good Engineering Practice concerning standard broadcast stations.

It is further ordered, That the partnership, W. J. Harpole and J. C. Rothwell, d/b as Radio Station KSAM, licensee of Station KSAM, Huntsville, Texas, be, and it is hereby, made a party to these proceedings.

By the Commission.

[SEAL]

T. J. SLOWIE,
Secretary.

[F. R. Doc. 46-12777; Filed, July 26, 1946;
12:01 p. m.]

[Docket 7624]

B. LORING SCHMIDT

ORDER DESIGNATING APPLICATION FOR CONSOLIDATED HEARING ON STATED ISSUES

In re application of B. Loring Schmidt, Salem, Oregon, for construction permit. Docket No. 7624; File No. B5-P-4794.

At a session of the Federal Communications Commission, held at its offices in Washington, D. C., on the 6th day of June 1946;

The Commission having under consideration the above-entitled application requesting a construction permit for a new standard broadcast station to operate on the frequency 1490 kc, with 250 watts power, unlimited time;

250 watts power, unlimited time, at Salem, Oregon;

It is ordered, That the said application be, and it is hereby, designated for hearing in a consolidated proceeding with the application of John H. Fitzgibbon, Roy Jarman, and Temple V. Ehmsen (File No. B5-P-4432; Docket No. 7379) upon the following issues;

1. To determine the legal, technical, financial, and other qualifications of the applicant to construct and operate the proposed station.

2. To determine the areas and populations which may be expected to gain primary service from the operation of the proposed station and the character of other broadcast service available to those areas and populations.

3. To determine the type and character of program service proposed to be rendered and whether it would meet the requirements of the populations and areas proposed to be served.

4. To determine whether the operation of the proposed station would involve objectionable interference with any existing or proposed broadcast services and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

5. To determine whether the installation and operation of the proposed station would be in compliance with the Commission's rules and Standards of Good Engineering Practice concerning standard broadcast stations.

6. To determine on a comparative basis which, if either, of the applications in this consolidated proceeding should be granted.

By the Commission.

[SEAL]

T. J. SLOWIE,
Secretary.

[F. R. Doc. 46-12778; Filed, July 26, 1946;
12:01 p. m.]

[Docket No. 7623]

MILBURN H. STUCKWISH ET AL.

ORDER DESIGNATING APPLICATION FOR HEARING ON STATED ISSUES

In re: application of Milburn H. Stuckwisch, Charles F. Bruce, and F. M. Lindsay, Jr., d/b as a partnership Centralia, Illinois, for construction permit. Docket No. 7623; File No. B4-P-4732.

At a session of the Federal Communications Commission, held at its offices in Washington, D. C. on the 6th day of June 1946;

The Commission having under consideration the above-entitled application requesting a construction permit for a new standard broadcast station to operate on the frequency 1400 kc, with 250 watts power, unlimited time.

It is ordered, That the said application be, and it is hereby, designated for hearing upon the following issues:

1. To determine the legal, technical, financial, and other qualifications of the applicant partnership and the partners to construct and operate the proposed station.

2. To determine the areas and populations which may be expected to gain or lose primary service from the operation of the proposed station and the character of other broadcast service available to those areas and populations.

3. To determine the type and character of program service proposed to be rendered and whether it would meet the requirements of the populations and areas proposed to be served.

4. To determine whether the operation of the proposed station would involve objectionable interference with stations WDWS at Champaign, Illinois, WEOA at Evansville, Indiana, KFVS at Cape Girardeau, Missouri, or with any other existing or proposed broadcast stations and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

5. To determine whether the installation and operation of the proposed station would be in compliance with the Commission's rules and Standards of Good Engineering Practice concerning standard broadcast stations.

It is further ordered, That Champaign News Gazette, Inc., licensee of Station WDWS, Evansville on the Air, Inc., licensee of Station WEOA, and Oscar C. Hirsch, tr/as Hirsch Battery & Radio Co., licensee of Station KFVS, be and they are hereby made parties to this proceeding.

By the Commission.

[SEAL]

T. J. SLOWIE,
Secretary.

[F. R. Doc. 46-12779; Filed, July 26, 1946;
12:01 p. m.]

[Docket Nos. 7428, 7693]

UNITED BROADCASTING CO., INC. AND ARLINGTON-FAIRFAX BROADCASTING CO., INC.

ORDER DESIGNATING APPLICATIONS FOR CONSOLIDATED HEARING ON STATED ISSUES

In re applications of United Broadcasting Company, Inc., Silver Spring, Maryland, Docket No. 7428, File No. B1-P-4030; Arlington-Fairfax Broadcasting Co., Inc., Arlington, Virginia, Docket No. 7693, File No. B2-P-4999; for construction permits.

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 18th day of July 1946;

The Commission having under consideration the above-entitled applications of United Broadcasting Company, Inc. (File No. B1-P-4030; Docket No. 7428), requesting a construction permit for a new standard broadcast station in Silver Spring, Maryland, and of Arlington-Fairfax Broadcasting Company, Inc. (File No. B2-P-4999; Docket No. 7693), requesting a construction permit for a new standard broadcast station in Arlington, Virginia, both requesting the frequency 1390 kc, with power of 1 kw, daytime only,

It is ordered, That the said applications be, and they are hereby, designated

for hearing in a consolidated proceeding upon the following issues:

1. To determine the legal, technical, financial and other qualifications of the applicants to construct and operate the proposed stations.

2. To determine the areas and populations which would gain primary service from the operation of the proposed stations, and what other broadcast services are available to those areas and populations.

3. To determine the type and character of program services proposed to be rendered and whether such services would meet the requirements of the areas and populations proposed to be served.

4. To determine whether the operation of the proposed stations would involve objectionable interference with any existing or proposed broadcast service and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

5. To determine whether the installation and operation of the proposed stations would be in compliance with the Commission's rules and Standards of Good Engineering Practice concerning standard broadcast stations.

6. To determine on a comparative basis which, if any, of the applications in this consolidated proceeding should be granted.

By the Commission.

[SEAL]

T. J. SLOWIE,
Secretary.

[F. R. Doc. 46-12780; Filed, July 26, 1946;
12:01 p. m.]

[Docket No. 7379]

JOHN H. FITZGIBBON ET AL.

ORDER DESIGNATING APPLICATION FOR CONSOLIDATED HEARING ON STATED ISSUES

In re application of John H. Fitzgibbon, Roy Jarman and Temple V. Ehmsen, Oregon City, Oregon for construction permit. Docket No. 7379; File No. B5-P-4432.

At a session of the Federal Communications Commission, held at its offices in Washington, D. C., on the 6th day of June 1946;

The Commission having under consideration the above-entitled application requesting a construction permit for a new standard broadcast station to operate on the frequency 1490 kc, with 250 watts power, unlimited time, at Oregon City, Oregon.

It appearing, that the Commission on May 9, 1946, removed the above-entitled application from the hearing docket because the application of John W. Davis (File No. B5-P-4299; Docket No. 7378) had been amended to request the frequency 800 kc, daytime only, in lieu of the frequency 1490 kc, with 250 watts power, unlimited time, at Portland, Oregon, and hence had ceased to appear to offer severe electrical interference to the above-entitled application;

It is ordered, That the said application of John H. Fitzgibbon, Roy Jarman and Temple V. Ehmsen be, and it is hereby,

designated for hearing in a consolidated proceeding with the application of B. Lorring Schmidt (File No. B5-P-4794; Docket No. 7624) requesting a construction permit for a new standard broadcast station to operate on the frequency 1490 kc, with 250 watts power, unlimited time, at Salem, Oregon, upon the following issues:

1. To determine the legal, technical, financial, and other qualifications of the applicant partnership and the partners to construct and operate the proposed station.

2. To determine the areas and populations which may be expected to gain primary service from the operation of the proposed station and the character of other broadcast service available to those areas and populations.

3. To determine the type and character of program service proposed to be rendered and whether it would meet the requirements of the populations and areas proposed to be served.

4. To determine whether the operation of the proposed station would involve objectionable interference with any existing or proposed broadcast services and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

5. To determine whether the installation and operation of the proposed station would be in compliance with the Commission's rules and Standards of Good Engineering Practice concerning standard broadcast stations.

6. To determine on a comparative basis which, if either, of the applications in this consolidated proceeding should be granted.

By the Commission.

[SEAL]

T. J. SLOWIE,
Secretary.

[F. R. Doc. 46-12781; Filed, July 26, 1946;
12:02 p. m.]

[Docket Nos. 7427, 7425]

WILLIAMSPORT RADIO BROADCASTING ASSN. ET AL.

ORDER AMENDING ISSUES

In re applications of Harry J. W. Kiessling, Carl F. Stroehmann, Frank E. Plankenhorn, and William P. Wilson, d/b/a Williamsport Radio Broadcasting Associates, Williamsport, Pennsylvania, File No. B2-P-4549, Docket No. 7427; Joseph T. Connolly, George Lewis, and David P. Gullette, Williamsport, Pennsylvania, File No. B2-P-4298, Docket No. 7425; Lock Haven Broadcasting Corporation, Lock Haven, Pennsylvania, File No. B2-P-4753; for construction permits.

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 11th day of July 1946;

The Commission having under consideration the above-listed applications and the petition of Lock Haven Broadcasting Corporation requesting that its application for use of 1230 kc at Lock Haven, Pennsylvania, be designated for hearing in consolidation with the applications of Harry J. W. Kiessling et al., d/b as Wil-

liamsport Radio Broadcasting Associates (File No. B2-P-4549) and Joseph T. Connally et al. (File No. B2-P-4298), both requesting use of 1340 kc at Williamsport, Pennsylvania, and the application of Penn Lincoln Broadcasting Company, Inc. (B2-P-4394) requesting use of 1230 kc at Williamsport; and

It appearing, that the application of Penn Lincoln Broadcasting Company has heretofore on May 17, 1946, been dismissed without prejudice;

It is ordered, That the issues in the consolidated proceeding on the applications of Harry J. W. Kiessling et al., d/b as Williamsport Radio Broadcasting Associates (File No. B2-P-4549) and Joseph T. Connally et al. (File No. B2-P-4298) be, and they are hereby, amended by deleting issue No. 6 and in lieu thereof inserting the following:

6. To determine on a comparative basis, which, if either, of these applications should be granted.

It is further ordered, That the petition of Lock Haven Broadcasting Corporation, be, and it is hereby, dismissed.

By the Commission.

[SEAL]

T. J. SLOWIE,
Secretary.

[F. R. Doc. 46-12782; Filed, July 26, 1946;
12:02 p. m.]

[Docket No. 7461]

GRASS VALLEY-NEVADA CITY BROADCASTERS,
INC.

ORDER DESIGNATING APPLICATION FOR CON-
SOLIDATED HEARING ON STATED ISSUES

In re application of Grass Valley-Nevada City Broadcasters, Inc., Grass Valley, California, for construction permit. Docket No. 7461; File No. B5-P-4616.

At a session of the Federal Communications Commission, held at its offices in Washington, D. C., on the 11th day of July 1946;

The Commission having under consideration the above-entitled application of Grass Valley-Nevada City Broadcasters, Inc., requesting a new standard station at Grass Valley, California, to operate on the frequency 1400 kc, 250 watts power, unlimited time, and the Commission also having under consideration a petition of the said applicant requesting reconsideration and grant of the said application;

It is ordered, That the said petition be, and it is hereby, denied; and

It is further ordered, That the said application be, and it is hereby, designated for hearing in a consolidated proceeding with the application of Robert W. LeMond, F. Clinton Jones and Clarence E. Fisher, d/b as Town Talk Broadcasting Company (File No. B5-P-4978, Docket No. 7668) requesting the same facilities in Grass Valley, California, upon the following issues:

1. To determine the legal, technical, financial, and other qualifications of the applicant corporation, its officers, directors and stockholders to construct and operate the proposed station.

2. To determine the areas and populations which may be expected to gain or lose primary service from the opera-

tion of the proposed station and the character of other broadcast service available to those areas and populations.

3. To determine the type and character of program service proposed to be rendered and whether it would meet the requirements of the populations and areas proposed to be served.

4. To determine whether the operation of the proposed station would involve objectionable interference with any existing broadcast stations, or with the services proposed in any pending applications, and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

5. To determine the overlap, if any, that will exist between the service areas of the proposed station and of Station KMYC, Marysville, California, the nature and extent thereof, and whether such overlap is in contravention of § 3.35 of the Commission's rules.

6. To determine whether the installation and operation of the proposed station would be in compliance with the Commission's rules and Standards of Good Engineering Practice concerning standard broadcast stations.

7. To determine on a comparative basis which, if either, of the applications in this consolidated proceeding should be granted.

By the Commission.

[SEAL]

T. J. SLOWIE,
Secretary.

[F. R. Doc. 46-12783; Filed, July 26, 1946;
12:02 p. m.]

AM STATION KJR AND ASSOCIATED RELAY
STATION KEGR¹

PROPOSED ASSIGNMENT OF LICENSE

The Commission hereby gives notice that on July 15, 1946 there was received an application (B5-AL-550) for consent under section 310 (b) of the Communications Act (47 U.S.C.A. 310) to the proposed assignment of the license of AM Station KJR and its associated Relay Station KEGR, Seattle, Washington, from Birt F. Fisher to Totem Broadcasters, Inc., Skinner Building, Seattle, Washington.

The proposed assignment is based upon a contract entered into June 27, 1946 between the above licensee and his wife, as sellers, and Field Enterprises, Inc., buyers, pursuant to which the former agreed to sell to the latter all the real and personal properties and equipment constituting the above station for a total purchase price of \$700,000. Of this amount \$25,000 as earnest money was paid upon execution of the agreement and the balance of the purchase price is to be paid upon the closing date which shall be fixed within ten days after public announcement of the Commission's consent has been made. Said date to be not later than twenty days after date of said announcement. At that time necessary documents will be

¹ § 1.364, Part I, Rules of Practice and Procedure.

executed conveying the properties which shall include all realty and personality, all contracts, franchises, leases, licenses, permits, good will, and other intangible rights described in the contract. The agreement shall be terminated if not approved by the Commission before June 1, 1947. On June 27, 1946 said contract was assigned by Field Enterprises, Inc. to Totem Broadcasters, Inc.

In the Commission's decision of September 6, 1945, granting the application for transfer of control of the Crosley Corporation (Docket No. 6767), it was announced that public hearings would be held to consider new rules and regulations for the handling of assignment and transfer applications including provision for public notice by the applicant and by the Commission of the filing of such applications and pertinent details in cases where a controlling interest is involved. Thereafter, on October 3, 1945, the Commission also gave public notice (10 F. R. 12926) that pending the issuance of such proposed rules, hearing thereon, and final adoption, consideration of such applications would be deferred unless applicants desired to follow the procedure proposed in the Crosley decision and supplement their applications so as to come within the framework of the announced procedure, including the provision for public notice. Subsequently, on December 13, 1945, the Commission adopted tentatively a proposed rule of procedure to govern the handling of assignment and transfer applications including the character of notice required of applicants in such cases. Pursuant thereto, the Commission was advised on July 15, 1946 that beginning on July 23, 1946 notice of the proposed assignment would be published in a newspaper of general circulation at Seattle, Washington.

In accordance with the procedure proposed in the Crosley decision and that announced in the Commission's release, no action will be had in the instant application for a period of 60 days from July 23, 1946, within which time other persons desiring to apply for the facilities involved may do so upon the same terms and conditions as set forth in the above-described contract. (Section 310 (b), 48 Stat. 1086; 47 U.S.C.A. (310 (b))

[SEAL] FEDERAL COMMUNICATIONS
COMMISSION,
T. J. SLOWIE,
Secretary.

[F. R. Doc. 46-12785; Filed, July 26, 1946;
12:02 p. m.]

[Docket No. 7668]

TOWN TALK BROADCASTING CO.

DESIGNATING APPLICATION FOR CONSOLIDATED
HEARING ON STATED ISSUES

In re application of Robert W. LeMond, F. Clinton Jones and Clarence E. Fisher, d/b as Town Talk Broadcasting Company, Grass Valley, California, for construction permit. Docket No. 7668; File No. B5-P-4978.

At a session of the Federal Communications Commission, held at its offices in

Washington, D. C., on the 11th day of July 1946;

The Commission having under consideration the above-entitled application of Robert W. LeMond, F. Clinton Jones and Clarence E. Fisher, d/b as Town Talk Broadcasting Company requesting a new standard station at Grass Valley, California, to operate on the frequency 1400 kc, 250 watts power, unlimited time;

It is ordered, That the said application be, and it is hereby, designated for hearing in a consolidated proceeding with the application of Grass Valley-Nevada City Broadcasters, Inc. (File No. B5-P-4616, Docket No. 7461) requesting the same facilities in Grass Valley, California, upon the following issues:

1. To determine the legal, technical, financial, and other qualifications of the applicant partnership and the partners to construct and operate the proposed station.

2. To determine the areas and populations which may be expected to gain or lose primary service from the operation of the proposed station and the character of other broadcast service available to those areas and populations.

3. To determine the type and character of program service proposed to be rendered and whether it would meet the requirements of the populations and areas proposed to be served.

4. To determine whether the operation of the proposed station would involve objectionable interference with any existing broadcast stations, or with the services proposed in any pending applications, and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

5. To determine whether the installation and operation of the proposed station would be in compliance with the Commission's rules and regulations of Good Engineering Practice concerning standard broadcast stations.

6. To determine on a comparative basis which, if either, of the applications in this consolidated proceeding should be granted.

By the Commission.

[SEAL]

T. J. SLOWIE,
Secretary.

[F. R. Doc. 46-12784; Filed, July 26, 1946;
12:02 p. m.]

FEDERAL POWER COMMISSION.

[Docket No. G-751]

WEST TEXAS GAS CO.

NOTICE OF APPLICATION

JULY 25, 1946.

Notice is hereby given that on July 11, 1946, an application was filed with the Federal Power Commission by West Texas Gas Company (Applicant), a Delaware corporation having its principal place of business in Lubbock, Texas, for a certificate of public convenience and necessity pursuant to section 7 of the Natural Gas Act, as amended, to authorize the Applicant to construct and op-

erate certain additional facilities to its existing natural gas transmission pipeline system as hereinafter described.

The facilities for which a certificate is sought will be located at the McSpadden Compressor Station, Randall County, Texas, and will constitute additions to and integral parts of Applicant's existing transmission pipeline system, and are the following:

(a) Installation of one 700 GPM turbine pump for circulating cooling tower spray water and one 800 GPM turbine pump for circulating engine jacket water both to be driven by one 42 H.P. gas engine;

(b) Installation of one No. 42 Hi-Lift 25 GPM pump to be driven by an existing gas engine to replace the present pumping equipment in the compressor station water well;

(c) Installation of one Cooper-Bessemer GX-3A starting air compressor as standby for present starting air compressor.

Applicant asserts that the two circulating pumps described in paragraph (a) and the standby starting air compressor described in paragraph (c) are required to insure that the McSpadden Compressor Station will be able to give continuous adequate service to its customers through the 1946-1947 heating season in spite of failures to small items of auxiliary equipment. Applicant states that no standby equipment was installed at the McSpadden Compressor Station at the time of original construction because said station was constructed during the war. Applicant asserts that the pump described in paragraph (b) is required due to the continued failure of the present equipment which was second hand at the time of installation and for which there are no spare parts available; that failure of this equipment for any appreciable period of time requires the entire compressor station to be shut down.

Applicant states that no material increase in revenues is anticipated by it as a result of the installation of the proposed facilities described hereinbefore since the installation thereof is mainly for improved operation and standby service rather than for increased system capacity.

Applicant estimates that the total cost of all the proposed facilities will be approximately \$6,260.68 and that this total cost will be met with cash on hand.

Any interested State Commission is requested to notify the Federal Power Commission whether the application should be considered under the cooperative provisions of Part 67 of the Provisional rules of practice and regulations under the Natural Gas Act, as amended, and, if so, to advise the Federal Power Commission as to the nature of its interest in the matter and whether it desires a conference, or a joint or concurrent hearing, together with the reasons for such request.

Any person desiring to be heard or to make any protest with reference to the application of West Texas Gas Company should file with the Federal Power Commission, Washington 25, D. C., not later than fifteen days from the date of this publication, a petition or protest in accordance with the Commission's pro-

vincial rules of practice and regulations under the Natural Gas Act.

[SEAL]

LEON M. FUQUAY,
Secretary.

[F. R. Doc. 46-12861; Filed, July 29, 1946;
10:28 a. m.]

INTERSTATE COMMERCE COMMISSION.

[S.O. 561]

UNLOADING OF COMMODITIES AT WACO, TEX.

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 26th day of July A. D. 1946.

It appearing, that 12 cars containing various commodities at Waco, Texas, on the St. Louis-Southwestern Railway Company of Texas, have been on hand for an unreasonable length of time and that the delay in unloading said cars is impeding their use; in the opinion of the Commission an emergency exists requiring immediate action. *It is ordered*, That:

Commodities at Waco, Texas, be unloaded. (a) The St. Louis-Southwestern Railway Company of Texas, its agents or employees, shall unload immediately the following cars consigned to General Tire and Rubber Company, which cars are now on hand at Waco, Texas:

Initial and number:	Content
Milw 705654	Fabric.
T&P, 72017	Rubber.
GTW, 587969	Cord.
CN 522151	Cord.
GN 48892	Fabric.
PRR 31240	Carbon black.
NP 17760	Fabric.
CBQ 131059	Carbon black.
NP 28896	Oxide.
SOU 11376	Sulphur.
SLSF 146689	Fabric.
P&G 3526	Oxide.

(b) *Notice and expiration.* Said carrier shall notify V. C. Clinger, Director, Bureau of Service, Interstate Commerce Commission, Washington, D. C., when it has completed the unloading required by paragraph (a) hereof, and such notice shall specify when, where and by whom such unloading was performed. Upon receipt of that notice this order shall expire. (40 Stat. 101, sec. 402; 41 Stat. 476, sec. 4; 54 Stat. 901, 911; 49 U.S.C. 1 (10) - (17), 15 (2))

It is further ordered, that this order shall become effective immediately; that a copy of this order and direction shall be served upon the St. Louis Southwestern Railway Company of Texas, and upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission, at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

By the Commission, Division 3.

[SEAL]

W. P. BARTEL,
Secretary.

[F. R. Doc. 46-12943; Filed, July 29, 1946;
11:30 a. m.]

OFFICE OF PRICE ADMINISTRATION.

[MPR 188, Amdt. 95 to Order A-1]

PURE LEAD PIGMENT PAINT

MODIFICATION OF MAXIMUM PRICES

An opinion accompanying this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

A new paragraph (a) (7) is added to Order No. A-1 to read as follows:

(7) (i) The manufacturers' maximum prices established pursuant to Maximum Price Regulation 188, as amended, for 100 percent pure lead pigment paint may be modified by use of the following formula:

(a) Determine the weight of lead used in 1 gallon of the paint.

(b) Multiply the weight of the lead by 1 1/4 cents.

(c) Add result to the maximum price for the 100 percent pure lead pigment paint established under Maximum Price Regulation 188.

(d) Round off total obtained in (c) above, to the nearest cent. This results in the manufacturers' adjusted maximum price for the particular paint.

(ii) Any reseller purchasing any 100 percent pure lead pigment paint for resale in the same form from any manufacturer who has modified his maximum prices in accordance with (i) above, may increase his maximum prices by an amount not exceeding his actual percentage increase in cost resulting from the increase permitted the manufacturer in (i) above.

(iii) Any manufacturer who modifies his maximum prices for 100 percent pure lead pigment paint pursuant to this section shall furnish each buyer who purchases such products for resale in the same form on or before the date the manufacturer makes the first delivery at the adjusted price a written statement as follows:

Amendment No. 95 to Order A-1 effective July 26, 1946, permits an increase of \$----- per gallon of ----- over the maximum prices established under Maximum Price Regulation 188. You are permitted to add the actual percentage amount of your increased cost resulting from the increase permitted the manufacturer to your existing maximum prices for -----.

(iv) The maximum prices granted herein shall be subject to cash, quality and other discounts, transportation allowances, services and other terms and conditions of sale at least as favorable as the seller extended or rendered on comparable sales to purchasers of the same class during March 1942.

This Amendment No. 95 shall become effective July 26, 1946.

Issued this 26th day of July 1946.

PAUL A. PORTER,
Administrator.

[F. R. Doc. 46-12793; Filed, July 26, 1946;
3:28 p. m.]

[MPR 188, Rev. Order 4418]

AUTOMOBILE SEAT COVERS

ADJUSTMENT OF MAXIMUM PRICES

Order No. 4418 under § 1499.159b of Maximum Price Regulation No. 188 is revised and amended to read as follows:

For the reasons set forth in an opinion issued simultaneously herewith, and filed with the Division of the Federal Register; and pursuant to § 1499.159b of Maximum Price Regulation No. 188, *It is ordered:*

Sec.

1. What this revised order does.
2. Manufacturers' maximum prices.
3. Adjustment of manufacturers' maximum prices.
4. Sales at adjusted maximum prices.
5. Maximum prices of purchasers for resale.
6. Terms of sale.
7. Notification.
8. Relation between this revised order, and Supplementary Order No. 118 and Revised Supplementary Order No. 119.
9. Revocation or amendment.

SECTION 1. *What this revised order does.* This revised order provides for the adjustment of maximum prices for sales of automobile seat covers; and it provides the method by which purchasers for resale shall determine their maximum prices on resales of the articles.

SEC. 2. *Manufacturers' unadjusted maximum prices.* Manufacturers shall continue to determine their maximum prices under the same regulation or orders applicable before this revised order was issued. Maximum prices so determined may be adjusted in accordance with section 3 of this revised order.

SEC. 3. *Adjustment of manufacturers' maximum prices.* At the end of this section, there are listed certain cut-off points. If a manufacturer's unadjusted maximum price for sales of a specific article is below the appropriate one of those cut-off points, he may increase that maximum price to the amount which is the lower of either:

(a) The appropriate cut-off point; or
(b) The sum of his total unit cost to make and sell the article, plus a margin over such total unit costs which equals the manufacturer's average margin before taxes on sales of automobile seat covers during a normal peacetime period 1936-1939 (or plus 7.2 percent, if that is higher).

"Total unit cost to make and sell" means the total cost of direct materials, direct labor and factory overhead, applicable to each unit of the article, and general administrative and selling expenses, applicable to the article, calculated in accordance with the manufacturer's customary method of computing unit cost. (Prices used in computing material cost may be no higher than the ceiling prices of the manufacturer's normal sources of supply. Labor rates used in computing labor cost may be no higher than the manufacturer's legal straight-time wage rates. A calculation of total unit cost may be disregarded if it is excessive, or if it is out of line with the

total unit cost of competitive manufacturers of the same class.)

The cut-off points, referred to above, are as follows:

Article	Maximum price to jobbers	Maximum price to retailers
<i>Universal seat covers</i>		
Coupe solid back	\$3.70	\$4.65
Coupe divided back	4.45	5.55
Coach and sedan (front seat)	4.45	5.55
Coach and sedan (complete set)	6.80	8.50
Coach and sedan (complete set with center arm rest)	7.55	9.40
<i>Tailor-made seat covers</i>		
Coupe solid back	5.60	7.00
Coupe divided back	6.40	8.00
Coupe and sedan (front seats)	6.40	8.00
Coupe and sedan (complete set)	10.55	13.20
Coupe and sedan (complete set with center arm rest)	11.35	14.20

SEC. 4. *Sales at adjusted maximum prices.* (a) No manufacturer may sell an automobile seat cover at a maximum price higher than his unadjusted maximum unless, fifteen days before first offering the article for sale, he files a signed report with the Office of Price Administration, Washington 25, D. C., setting forth the following:

(1) The date of the report.
(2) The manufacturer's name and address.

(3) The name, number or other designation of the cover; and a description of the cover.

(4) The manufacturer's unadjusted maximum prices for sales of the cover. If such unadjusted prices were established by order of the Office of Price Administration, the date and number of the order, and the issuing office. If such unadjusted maximum prices were not established by order of the Office of Price Administration, a statement of how they were determined.

(5) A breakdown of the total unit costs to make and sell the cover setting forth the quantity, specifications and unit cost of the principal materials and itemized the labor operations.

(6) A statement of the manufacturer's average 1936-1939 percentage of profit before income taxes to total costs, on sales of automobile seat covers; and a statement showing how the manufacturer determined that average percentage profit by listing the sales, total cost and profit, (before income taxes) for the years 1936, 1937, 1938 and 1939. Dividing the sum of the profits by the sum of the total costs determines the average percentage profit for the years stated.

(7) The manufacturer's maximum prices to each class of purchaser, adjusted under section 3.

(b) Fifteen days after date of mailing the report referred to in (a), in the absence of a contrary direction from the Office of Price Administration the manufacturer may sell the seat cover at a price no higher than his adjusted maximum price. Such adjusted maximum price may be revised by the Office of Price Administration if it has been incorrectly calculated; or if it is not in-line with adjusted maximum prices of comparable competitive articles.

SEC. 5. Maximum prices of purchasers for resale. (a) Each reseller whose sales are covered by the General Maximum Price Regulation, who purchases an automobile seat cover at a maximum price adjusted under this order shall calculate his maximum resale prices for his resale of the article by adding to his invoice cost, the same percentage markup which he has on the "most comparable article" for which he has a properly established maximum price. For the purposes of this revised order, the "most comparable article" is the one which meets all of the following tests:

(1) It belongs to the narrowest trade category which includes the article being priced.

(2) Both it and the article being priced were purchased from the same class of supplier.

(3) Both it and the article being priced belong to a class of articles to which, according to customary trade practices, an approximately uniform percentage markup is applied.

(4) Its net replacement cost is nearest to the net cost of the article being priced.

The determination of a maximum price in this way need not be reported to the Office of Price Administration. However, each seller must keep complete records showing all the information called for by OPA Form 620-759 with regard to how he determined his maximum price, for so long as the Emergency Price Control Act of 1942, as amended, remain in effect.

If the maximum resale price cannot be determined under the above method, the reseller shall apply to the Office of Price Administration for the establishment of a maximum price under § 1499.3 (c) of the General Maximum Price Regulation. Maximum prices established under that section will reflect the suppliers prices as adjusted in accordance with this revised order.

(b) If dollar-and-cent maximum prices for a particular article are established under Supplementary Regulation No. 14J, the reseller shall continue to sell at prices no higher than those dollar-and-cent maximum prices.

(c) The provisions of Supplementary Order No. 153 shall not apply to sales of articles covered by this revised order.

SEC. 6. Terms of sale. Maximum Prices adjusted by or determined under this revised order are subject to each seller's terms, discounts, allowances, and other price differentials, in effect during March, 1942, or which have been properly established under the applicable OPA regulation.

SEC. 7. Notification. At the time of, or prior to the first invoice to a purchaser for resale, showing a price adjusted or determined, in accordance with the provisions of this revised order, the seller shall notify the purchaser in writing of the methods established in section 5 of this revised order for determining adjusted maximum prices for resale of the articles covered by this revised order. This notice may be given in any convenient form.

SEC. 8. Relation between this revised order, and Supplementary Order No. 118

and Revised Supplementary Order No. 119. If a manufacturer is eligible for an adjustment under Supplementary Order No. 118, or under Revised Supplementary Order No. 119, he may nevertheless adjust his maximum prices under this revised order, instead of under those provisions.

SEC. 9. Revocation or amendment. This order may be revoked or amended by the Price Administrator at any time.

NOTE: The reporting provisions of this revised order have been approved by the Bureau of the Budget, in accordance with the Federal Reports Act of 1942, as amended.

Effective date. This revised order shall become effective on the 26th day of July 1946.

Issued this 26th day of July 1946.

PAUL A. PORTER,
Administrator.

[F. R. Doc. 46-12792; Filed, July 26, 1946;
3:30 p. m.]

[MPR 592, Amdt. 54 to Order 1]

VITRIFIED CLAY SEWER PIPE AND ALLIED PRODUCTS

ADJUSTMENT OF MAXIMUM PRICES

An opinion accompanying this amendment issued simultaneously herewith, has been filed with the Division of the Federal Register.

Section 3.1 (c) (1) is amended to read as follows:

(1) By adding an amount not in excess of 13.2 percent to the maximum prices in effect on June 29, 1946 for the same quality, kind and quantity of sewer pipe products delivered to purchasers of the same class, or

This amendment shall become effective July 26, 1946.

Issued this 26th day of July 1946.

PAUL A. PORTER,
Administrator.

[F. R. Doc. 46-12796; Filed, July 26, 1946;
3:31 p. m.]

[SO 94, Order 130]

NON-PREFABRICATED BUILDINGS

RESALES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and in accordance with section 11 of Supplementary Order 94, *It is ordered:*

(a) Notwithstanding the provisions of any regulation or order issued prior to the effective date of this order by the Office of Price Administration, resales of all non-prefabricated buildings originally purchased from any Government disposal agency apart from the land in "as is, where is" condition, whether the location of the building is the same as at the time of the Government sale or is at a different location to which it has been removed by the original purchaser from the Government or any subsequent

purchaser, are exempt from price control.

(b) This order may be revoked or amended at any time.

This order shall become effective July 26, 1946.

Issued this 26th day of July 1946.

PAUL A. PORTER,
Administrator.

[F. R. Doc. 46-12797; Filed, July 26, 1946;
3:28 p. m.]

[Rev. Max. Import Price Reg., Order 364 of Order 38]

NORWEGIAN KIPPERED SNACKS

ESTABLISHMENT OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to the provisions of section (c) (5) of Order 38 under the Revised Maximum Import Price Regulation, *It is ordered:*

(a) *Purpose of this order.* The purpose of this order is to establish separate maximum prices at which imported Norwegian Kippered Snacks (any brand) natural pack, may be sold by importers to wholesalers, chain stores, independent retail stores, industrial and institutional users without having to make application to the Office of Price Administration for the issuance of an individual order.

(b) *Application of this order.* The maximum prices established by this order apply to importers' sales to the classes of purchasers named herein, of imported Norwegian Kippered Snacks (any brand) natural pack.

(c) *Importers' maximum prices.* The maximum prices, above which no importer shall sell and no person buying from an importer shall purchase, on sales to the classes of purchasers named, for the following designated sizes of imported Norwegian Kippered Snacks (any brand) natural pack, shall be as follows:

Sales by importers to—	Norwegian kippered snacks (natural)	
	Alumi-nium containers	Tin containers
<i>Per case of 100/3 1/4 ounce</i>		
Wholesalers and chain stores.....	\$9.97	\$9.66
Independent retailers.....	10.50	10.17
Industrial and institutional users.....	10.94	10.60
<i>Per case of 100/6-7 1/2 ounce (double snacks)</i>		
Wholesalers and chain stores.....	16.81	—
Independent retailers.....	17.71	—
Industrial and institutional users.....	18.45	—
<i>Per case 100/8 ounce tin:</i>		
Wholesalers and chain stores.....	18.40	—
Independent retailers.....	19.37	—
Industrial and institutional users.....	20.19	—

The maximum prices authorized above are ex dock or ex warehouse any United States continental point or port of entry. For sales with delivery made at some other point, payment incurred for transportation from the dock or warehouse at the point or port of entry to such other

point may be added. Such transportation payment, however, shall not include the expense of local hauling or drayage within the metropolitan area of the point or port of arrival.

(d) *Terms of sale.* The importer with respect to his sales of imported Norwegian Kippered Snacks (any brand), natural pack, for which maximum prices are established by this order, shall reduce such maximum prices by the discount for cash or prompt payment customarily granted on sales of Norwegian Kippered Snacks (any brand), natural pack, to purchasers of the same class.

(e) *Definitions.* A "wholesaler" is a person other than a chain store, an independent retail store, industrial or institutional user, who purchases and sells food products, generally, without materially changing their form.

A "chain store" is one of four or more retail stores under one ownership whose combined "annual gross sales" are \$500,000 or more, and which purchases and re-sells food products, generally, without materially changing their form, to ultimate consumers other than industrial or institutional users.

An "independent retail store" is one that is not one of four or more stores under one ownership whose combined "annual gross sales" are \$500,000 or more and which purchases and re-sells food products, generally, without materially changing their form, to ultimate consumers other than industrial or institutional users.

An "industrial user" is any person who, either for his own commercial use or for resale, subjects an imported food item covered by this order to a process that results in the production of a new and different article having a distinctive name, character or use; or who uses such food item as an ingredient or a component part of such an article.

An "institutional user" is a restaurant, hotel, club, hospital or other establishment using an imported food item covered by this order, in preparation or service of meals to individual consumers.

(f) The total landed costs upon which the maximum prices in this order are based include duty in the amounts of

\$0.88 per case 100/3 1/4 ounce tin container.
\$0.91 per case 100/3 1/4 ounce aluminum container.

\$1.55 per case 100/6-7 1/2 ounce aluminum container.
\$1.67 per case 100/8 ounce tin container.

If the duty actually paid is higher than set out above, the difference may be added to the maximum prices established in Section (c). If the duty actually paid is lower than that set out above, the differences must be subtracted from the maximum prices established in section (c).

(g) *Relation of this order to Order 38.* Unless the context otherwise requires, the provisions of Order 38 under the Revised Maximum Import Price Regulation with the requirement of notice to purchasers as set out in paragraph (k) shall apply for the sale for which the maximum prices are established by this order.

(h) *Revocation and amendment.* This order may be revoked or amended at any time.

This order shall become effective July 26, 1946.

Issued this 26th day of July 1946.

PAUL A. PORTER,
Administrator.

[F. R. Doc. 46-12787; Filed, July 26, 1946;
3:29 p. m.]

[MPR 592, Amdt. 50 to Order 1]

CLAY BRICK AND TILE

ADJUSTMENT OF MAXIMUM PRICES

An opinion accompanying this Amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

The first sentence of section 2.4 (a) is amended to read as follows:

(a) Any jobber or dealer purchasing clay or shale building brick, structural clay hollow building tile, and clay drain tile for resale from any manufacturer who has modified his maximum prices in accordance with section 2.1 or section 2.5 of this Order No. 1, may increase his maximum prices f. o. b. yard or delivered, established by the General Maximum Price Regulation by the dollars-and-cents increase in cost resulting to him by reason of the modification of the manufacturer's maximum price under section 2.1 and 2.5 of Order No. 1.

This Amendment No. 50 shall become effective July 26, 1946.

Issued this 26th day of July 1946.

PAUL A. PORTER,
Administrator.

[F. R. Doc. 46-12810; Filed, July 26, 1946;
4:41 p. m.]

[RMPR 136, Order 658]

GRAIN MILLING MACHINERY AND EQUIPMENT

ADJUSTMENT OF MAXIMUM PRICES

For the reasons set forth in an opinion, issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to section 31 of Revised Maximum Price Regulation 136, *It is ordered:*

(a) For the purposes of this order the phrase "grain milling machinery and equipment" means the following machinery, mechanical accessories and equipment when designed and sold primarily for use in grain milling or in the manufacture or processing of grains, cereals or feeds but not including any farm machinery covered by Maximum Price Regulation 246:

Acidifiers.
Aspirators.
Attrition Mills.
Batch Mixers.
Bleaching Gas Controls.
Blenders.
Bolting Reels.
Bolting Sifters.
Bran and Shorts Dusters.

Burr Mills.
Centrifugals.
Centrifuges.
Cleaners; Bag; Bolting Cloth.
Clippers: Oat.
Converters.
Cookers.
Corn Crushers.
Corn Cutters.
Corn Germ Squeezers.
Corn Oil Filter Presses.
Corn Shellers.
Corn Steeps or Tanks.
Crystallizing Equipment.
Degerminators.
Devices, Fumigating (for use in cereal processing, food processing or grain milling only).
Drags, Grain.
Driers, and Coolers.
Expellers.
Feeders.
Flaking Rolls.
Germ Rolls or Crackers.
Germ Separators.
Germ Washing Reels.
Grinding Starch Mills.
Hammer Mills and Pulverizers.
Holders, Bag.
Hullers.
Hydraulic Presses.
Machines and Equipment designed and sold primarily for use in the packaging, wrapping, filling, sealing and labelling of feeds, cereals and grain mill products.
Mill Rolls.
Mixers.
Neutralizers.
Oil Expellers and Cookers.
Packers: Bag, Sack, Barrel.
Pearlers.
Pellet Machines (for use in cereal processing, feed processing or grain milling only).
Pilers, Bag.
Polishers, Rice.
Pressers.
Puffing Machines.
Purifiers.
Revolving Heat Chambers.
Roasters and Ovens (for use in cereal processing, feed processing or grain milling only).
Roller Mills.
Scalpers.
Scourers.
Separating and Washing Reels.
Separators or Graders.
Shakers.
Solvent Extraction Equipment (for use in cereal processing, feed processing or grain milling only).
Spouts, Grain.
Steam Germ Driers.
Steamers.
Sterilizers.
Sugar Chipper.
Sulphur Tower (for sulphur dioxide).
Tanks (for use in cereal processing, feed processing or grain milling only).
Tempering Devices.
Vacuum Pans (for use in cereal processing, feed processing or grain milling only).
Wheat Washers.

Repair and Replacement Parts

All repair and replacement parts for the machines and equipment listed above, except saw blades and knife blades.

Upon application by a manufacturer, the OPA may include in this definition additional machinery or equipment if it appears to be specifically designed for use in the milling of grain or in the manufacture or processing of grains, cereals or feeds.

(b) As used in this order the phrase "base prices" shall mean the maximum prices established under section 7 or computed under section 8, 9 or 10 of

Revised Maximum Price Regulation 136 before the addition of any increase provided to an individual manufacturer by individual adjustment under the provisions of Revised Maximum Price Regulation 136 or Supplementary Order No. 142.

(c) *Manufacturers' maximum prices.* The maximum prices for sales by manufacturers of grain milling machinery and equipment shall be:

(1) The manufacturers' base prices as defined in (b) above, increased by 8% except that,

(2) If the manufacturers' base prices are approved by the OPA as "in-line" prices under Section 9 (c) or RMPR 136, subsequent to July 26, 1946, the maximum prices shall be the prices so approved.

(d) *Resellers' maximum prices.* The maximum prices for sales of any grain milling machinery and equipment by a reseller shall be the maximum prices in effect just prior to the issuance of this order, increased by the percentage amount by which his net invoiced cost has been increased by reason of this order.

(e) *Discounts, allowances, etc.* All prices established under paragraphs (c) and (d) shall be subject to the same discounts, deductions and other allowances in effect to any purchasers and classes of purchasers just prior to the issuance of this order.

(f) Every manufacturer of grain milling machinery and equipment shall give written notice to his resellers of the percentage amount by which this order permits the reseller to increase his maximum prices.

(g) Notwithstanding any of the provisions of this order, a manufacturer of grain milling machinery and equipment may charge and collect the maximum prices for sales of his products which he had in effect just prior to the issuance of this order.

This order shall become effective July 26, 1946.

Issued this 26th day of July 1946.

PAUL A. PORTER,
Administrator.

[F. R. Doc. 46-12804; Filed, July 26, 1946;
4:40 p. m.]

[MPR 591, Amdt. 20 to Order 1]

AUTOMATIC ELECTRIC TEMPERATURE CONTROLS

ESTABLISHMENT OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to section 22 of Maximum Price Regulation No. 591, *It is ordered:*

Section 7.2 of Article VII of Order No. 1 under Maximum Price Regulation No. 591 is amended in the following respects:

1. The first undesignated paragraph of section 7.2 (a) is amended to read as follows:

(a) *Scope of the section.* This section establishes maximum prices for the

sales by manufacturers and resellers of automatic electric control equipment devices for heating, air conditioning and refrigeration, not including industrial process controls, described as these temperature, pressure or humidity actuated controls and their related control devices that are electrically operated or control electrical circuits and are primarily designed for and normally used to control domestic and commercial space heating, cooling and air conditioning, domestic water heating, and domestic and commercial refrigeration, and listed as follows:

2. In paragraph (a) item numbered 6 is amended to read as follows:

(6) *Remote bulb and temperature or pressure actuated heating and air conditioning controls, and domestic water heater controls.* (a) Remote bulb temperature controllers—for heating, air conditioning, and domestic water heating, two position, floating or modulating types. With or without a well.

Rigid stem type.
Remote bulb-capillary tube type.
Differential temperature controller.

(b) Temperature or pressure actuated heating and air conditioning, and domestic water heating controls—Two position, floating or modulating type for limit or operating controls and for operating fans, blowers, circulators, unit heaters and compressors, and domestic water heaters.

Steam pressure responsive controls.
Vacuum pressure responsive controls.
Vapor pressure responsive controls.

Water temperature responsive controls—immersion type.

Water temperature responsive controls—surface type.

Air temperature responsive controls—immersion type.

Air temperature responsive controls—surface type.

Combination controls for any of the above responding separately to 2 or more temperature or pressure settings.

Stack temperature responsive controls—surface type.

Stack temperature responsive controls—immersion type.

This amendment shall become effective July 26, 1946.

Issued this 26th day of July 1946.

PAUL A. PORTER,
Administrator.

[F. R. Doc. 46-12806; Filed, July 26, 1946;
4:38 p. m.]

[MPR 120, Amdt. 27 to Order 1548]

ELLIOTT COAL MINING CO., ET AL.

ADJUSTMENT OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith, and in accordance with Maximum Price Regulation No. 120, *It is ordered:*

Order No. 1548 under Maximum Price Regulation No. 120 is hereby amended in the following respects:

The numeral "28" in paragraph (a) is deleted and in lieu thereof the numeral "50" is inserted.

This amendment shall be effective as of June 21, 1946.

Issued this 26th day of July 1946.

PAUL A. PORTER,
Administrator.

[F. R. Doc. 46-12803; Filed, July 26, 1946;
4:38 p. m.]

[MPR 591, Amdt. 23 to Order 48]

FERROUS WINDOWS

ADJUSTMENT OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to section 22 of Maximum Price Regulation No. 591, *It is ordered:*

Section 2.12 of Order 48 under Maximum Price Regulation No. 591 is amended in the following respects:

1. The title of Section 2.12 and paragraph (a) are amended to read as follows:

SEC. 2.12 *Ferrous windows*—(a) *Scope of this section.* This section establishes adjusted maximum prices for the sales of ferrous windows and the parts and accessories thereof when such sales are made by (i) manufacturers of steel windows, or (ii) by resellers of such manufacturers. This section does not apply to sales of parts, components, or accessories of these commodities by other manufacturers.

2. Paragraph (b) is amended to read as follows:

(b) (1) *Manufacturers' increase for items having an October 1, 1941, price.* On and after June 14, 1946, the maximum price for the sale by any manufacturer to any class of his purchasers of a commodity covered by this section, or metal repair and service parts therefor, shall be determined by increasing the applicable maximum price which he had in effect to such class of purchaser on October 1, 1941, by 13 percent.

(2) *Manufacturers' increase for items not having an October 1, 1941, price.* A manufacturer may not increase his properly established maximum price for any commodity covered by this section, or metal repair and service part therefor, for which he does not have an October 1, 1941, price without specific authorization from the Office of Price Administration.

A manufacturer desiring to modify his presently established maximum price for such commodity, and metal repair and service part therefor, for which he does not have an October 1, 1941, price shall file an application for such modification of his maximum price to reflect the adjusted price levels established for similar articles under (a) above, setting forth the following:

(1) Full description of the item. Cuts or detailed sketches should be supplied.

(2) Previously established maximum prices for the item, and the section and regulation under which the maximum price was established.

(3) If possible, the name of competitors marketing a similar item for which such competitors had on October 1, 1941 price.

Such applications shall be filed with the Mechanical Building Equipment Price Branch, Office of Price Administration, Washington 25, D. C.

3. Paragraph (f) is amended to read as follows:

(f) *Profit factor for use in connection with adjustments under section 1.2 (a) or (b).* The factor of 2.2 percent shall be the industry profit factor which may be used by a manufacturer in connection with an application for adjustment in the maximum price of a commodity covered by this section filed pursuant to section 1.2 (a) or (b) of this Order 48.

4. Paragraph (g) is amended to read as follows:

(g) *Definitions.*—(1) *Ferrous windows.* For the purpose of this section, a ferrous metal window means a frame or frame work, with or without movable sash or ventilators, fashioned from hot or cold formed, or hot or cold rolled ferrous metal shapes, sections or members, together with hardware, operating devices, anchors, erection fittings, subframes, surrounds, weather stripings, stool, casings, window screens, or any other accessories required to provide a complete window unit used to fill a window opening.

This amendment shall become effective July 26, 1946.

Issued this 26th day of July 1946.

NOTE: All reporting requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

PAUL A. PORTER,
Administrator.

[F. R. Doc. 46-12808; Filed, July 26, 1946;
4:39 p. m.]

[MPR 591, Amdt. 24 to Order 48]

DOMESTIC OIL BURNERS

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in the opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to Section 22 of Maximum Price Regulation No. 591, *It is ordered:*

Section 2.4 of Order No. 48 under Maximum Price Regulation No. 591 is amended, in the following respects:

1. Paragraph (a) is revised to read as follows:

(a) *Manufacturers increase for items having an October 1, 1941, price.* (1) The maximum price for sales by any manufacturer of domestic oil burners and repair and service parts therefor shall be his price to each class of purchaser in effect on October 1, 1941, increased by 9 percent.

(2) *Maximum prices on and after July 26, 1946.* On and after July 26, 1946, the maximum price of a manufacturer for

his sale of any commodity subject to this section shall be the price determined by increasing by 5.5 percent (i) the price determined pursuant to the preceding sub-paragraph (1), or (ii) the price heretofore established by OPA pursuant to section 9 of Maximum Price Regulation No. 591.

2. Paragraph (e) is amended by adding the following sentence: On and after July 26, 1946, a reseller may increase the maximum price he had in effect on June 29, 1946, to each class of purchaser by the percentage by which his cost has been increased to him by his supplier pursuant to sub-paragraph (a) (2) of this Section.

This Amendment shall become effective July 26, 1946.

Issued this 26th day of July 1946.

PAUL A. PORTER,
Administrator.

[F. R. Doc. 46-12809; Filed, July 26, 1946;
4:41 p. m.]

[MPR 592, Amdt. 57 to Order 1]

CORK INSULATION BOARD

MODIFICATION OF MAXIMUM PRICES

An opinion accompanying this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

A new section 7.19 is added to read as follows:

SEC. 7.19 *Modification of maximum prices for cork insulation board.* (a) The manufacturers' maximum net prices established pursuant to Maximum Price Regulation No. 592, as amended, for cork insulation board may be increased by an amount not in excess of \$0.017 per board foot.

(b) Manufacturers of cork insulation board may round off to the nearest $\frac{1}{10}$ ¢ the adjusted maximum prices resulting from the increase permitted in (a) above.

(c) Any individual adjustments granted prior to July 26, 1946, by the Price Administrator or any Regional Administrator to any manufacturer of cork insulation board in an amount greater than the increase permitted by this section are hereby contained in full force and effect; such individual price adjustments shall not, however, be further increased by the increase permitted in this section.

(d) Any manufacturer of cork insulation board, including those who are affected by (c) above, may at any time after the effective date of this Amendment, recompute his maximum price by use of the following formula provided that the change in his weighted average factory delivered cost for cork for the preceding 60 days amounts to at least \$5.00 per metric ton: except that the seller's initial adjustment may be made at any time if his weighted average factory delivered cost amounts to or exceeds \$110 per metric ton for the preceding 60-day period.

(1) Determine the amount by which his weighted average delivered factory cost for cork exceeds \$105.00 per metric ton. The weighted average factory de-

livered cost is obtained by dividing the number of tons delivered at the factory during the preceding 60 days into the total sum paid therefor.

(2) Divide the amount derived in (1), above, by 2200.

(3) Multiply the result derived in (2), above, by $1\frac{1}{2}$.

This results in a further adjustment in the maximum prices per board foot of cork-board, which may be added to the adjustment permitted in (a), above. The resulting adjusted maximum prices may then be rounded off to the nearest $\frac{1}{10}$ ¢.

(e) Any manufacturer who recomputes his maximum price for cork insulation board pursuant to (d) above, may at the close of each successive 60 day period after such recomputation make a further recomputation when increases in average weighted factory delivered costs of cork amount to \$5.00 or more since his last recomputation by use of the following formula:

(1) Determine the amount by which his weighted average delivered factory cost for cork exceeds the weighted average delivered factory cost for the cork used in the preceding computation. (Weighted average to be computed as indicated in (d) (1) above.)

(2) Divide the amount derived in (1) above by 2200.

(3) Multiply the result derived in (2) above by $1\frac{1}{2}$.

This results in a further adjustment in the maximum prices per board foot of cork-board, which may be added to the adjustment permitted in (d) above. The resulting adjusted maximum prices may then be rounded off to the nearest $\frac{1}{10}$ ¢.

(f) Any manufacturer who recomputes his maximum prices for cork insulation board pursuant to (d) or (e) above, shall at the close of each successive 60 day period after such recomputation make a further recomputation when decreases in his average weighted factory delivered costs of cork amount to \$5.00 or more since the last recomputation by use of the following formula:

(1) Determine the amount by which his weighted average delivered factory cost for cork is less than the weighted average delivered factory cost for the cork used in the preceding computation (weighted average to be computed as indicated in (d) (1) above).

(2) Divide the amount derived in (1) above by 2200.

(3) Multiply the result derived in (2) above by $1\frac{1}{2}$.

This results in an adjustment in his maximum prices per board foot of cork-board, which shall be subtracted from the last cost adjustment computed under (d) or (e) above. The resulting adjusted maximum prices may then be rounded off to the nearest $\frac{1}{10}$ ¢.

(g) The Armstrong Cork Company, Lancaster, Pennsylvania, Mundet Cork Corporation, Brooklyn, New York, Cork Insulation Company, Incorporated, Brooklyn, New York, and United Cork Companies, Kearny, New Jersey shall, not later than 10 days after any recomputation of maximum prices pursuant to (d), (e), or (f) above, file a report with the Building and Construction Price Division, Office of Price Administration,

Washington 25, D. C. detailing the computations required under the formula.

(h) Any reseller purchasing cork insulation board for resale in the same form from any manufacturer who has increased his maximum prices in accordance with this section may increase his maximum prices by an amount not exceeding his actual percentage increase in cost resulting from the increase permitted manufacturers in this section. However, in any area where specific maximum prices are fixed by an area pricing order, such specific maximum prices shall apply in that area.

(i) Any reseller purchasing cork insulation board for resale in the same form from any manufacturer who has decreased his maximum prices in accordance with this section must decrease his maximum prices by the percentage decrease in cost resulting from the decrease in the manufacturer's price computed under this section. However, in any area where specific maximum prices are fixed by an area pricing order, such specific maximum prices shall apply in that area.

This amendment shall become effective July 26, 1946.

Issued this 26th day of July 1946.

PAUL A. PORTER,
Administrator.

[F. R. Doc. 46-12811; Filed, July 26, 1946;
4:38 p. m.]

[IMPR 591, Amdt. 21 to Order 1]

BRASS, COPPER AND STEEL CONVECTORS AND ENCLOSURES

ADJUSTMENT OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to section 22 of Maximum Price Regulation No. 591, *It is ordered:*

Order 1 under section 22 of Maximum Price Regulation No. 591 is amended by adding a new section to read as follows:

SEC. 5. Brass, copper and steel convectors and enclosures—(a) Scope of this section. This section establishes adjusted maximum prices for the sales of brass, copper, and steel convectors and enclosures when such sales are made by (i) manufacturers of brass, copper, and steel convectors, or (ii) by resellers of such manufacturers. This section does not apply to sales of parts, components, or accessories of these commodities by other manufacturers.

(b) **Manufacturers' maximum prices.** A manufacturer of the types of convectors and enclosures described in paragraph (a) above shall determine his maximum prices by increasing the maximum prices which he had in effect for such convectors and enclosures to each class of his purchasers on June 29, 1946, by 10 percent, except where such maximum price previously in effect was established pursuant to any OPA provision for individual price adjustment. In such case the manufacturer may use as his maximum price the higher of the follow-

ing: (1) his maximum price prior to such individual adjustment, increased by 10 percent, or (2) the adjusted maximum price as established by order of OPA.

(c) **Notification by manufacturers.** Any manufacturer who applies the increase permitted under (b) above shall notify each purchaser, in writing, at or before the issuance of the first invoice after July 26, 1946 of the dollar-and-cent amount by which he has increased his price pursuant to this section for each type of convector and enclosure over his maximum price to that class of purchaser in effect on June 29, 1946.

(d) **Resellers' maximum prices.** The maximum price for sales by any reseller of the types of convectors and enclosures covered by this section shall be his maximum price to each class of purchaser in effect on June 29, 1946, plus the percentage increase in cost resulting from the increase taken by the manufacturer under this section and of which he is notified by the manufacturer.

(e) **Reports.** Any manufacturer who increases his maximum prices under this section must submit to the Mechanical Building Equipment Price Branch, Office of Price Administration, Washington, D. C., his new price list, discount sheets or other notification made to his purchasers, within 5 days after such adjustment is put into effect.

This amendment shall become effective July 26, 1946.

NOTE: All reporting requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 26th day of July 1946.

PAUL A. PORTER,
Administrator.

[F. R. Doc. 46-12713; Filed, July 26, 1946;
11:03 a. m.]

Regional and District Office Orders.

[Region VII Order G-2 Under Gen. Order 68]

BUILDING AND CONSTRUCTION MATERIALS IN DENVER, COLO., AREA

Order No. G-2 under General Order No. 68. Maximum prices for retail sales of certain building and construction materials in the Denver, Colorado, Area. Docket No. 7-GO 68-2.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and under the authority vested in the Regional Administrator of Region VII by the Emergency Price Control Act of 1942, as amended, and pursuant to the provisions of General Order 68, it is hereby ordered:

SECTION 1. What this order does. This Order No. G-2 under General Order 68 covers all retail sales by any seller, located in the Denver, Colorado, area, herein designated as Colorado Building Materials Area No. 1, of the specified building and construction materials

listed in the tables annexed to and incorporated herein.¹ The Denver, Colorado, area, for the purposes of this order includes all of the City and County of Denver, Colorado, and all of the area within a radius of 10 miles from the City and County Building in the City and County of Denver, Colorado.

SEC. 2. Definitions. For the purposes of this order:

(a) "Retail sale" means a sale to an ultimate user or to a purchaser for resale on an installed basis.

(b) "Delivered sale" means the sale of any quantity of the building and construction materials covered by this order, delivered to any point designated by the purchaser.

(c) "Yard sale" means the sale of any quantity of the building and construction materials covered by this order delivered to the purchaser at the seller's yard, store or warehouse.

(d) "Building and construction materials" means the masonry, gypsum, and metal lath, insulation and wall board, roofing and siding, and metal products materials, as set forth in the annexed price tables incorporated in this order.

SEC. 3. Relation to other regulations.

The maximum prices established by this Order No. G-2 supersede any maximum prices or pricing method previously established by any other regulation or order covering the commodities listed in the tables annexed to and incorporated herein. Except to the extent that they are inconsistent with the provisions of this order, all other provisions of the General Maximum Price Regulation or other applicable regulation or order shall continue to apply to retail sales covered by this order.

SEC. 4. Authorized maximum prices.

Upon and after the effective date of this Order No. G-2, the maximum prices for the retail sales of the specified building and construction materials covered by this order shall be the prices listed in the tables annexed to and incorporated herein.

SEC. 5. Delivery practices. (a) Sales under this order may be made as yard sales or delivered sales. If the buyer requests delivery within a free delivery zone which the seller recognized during March 1942, the seller shall not charge for making the delivery.

(b) If the buyer requests delivery outside the free delivery zone which the seller recognized during March 1942 or if no free delivery zone was recognized by the seller in March 1942, the seller may make delivery charges not in excess of those made by him in March 1942 but if delivery is made by a common or contract carrier the seller shall not charge in excess of the actual freight paid.

(c) If the seller was not in business during March 1942, he may elect to establish a free delivery zone or to make delivery charges, or both, and any such delivery charges shall not be in excess of such charges made by his principal competitors in his community for delivery during March 1942, and subject to the limitations of this section.

¹ Filed as part of the original document.

(d) All additional charges for delivery shall be itemized separately on any sales slips furnished the buyer and record thereof shall be kept as required by section 8 of this order.

SEC. 6. Discounts and allowances. Each seller, subject to this order, must maintain his customary terms, discounts, and allowances on sales to each class of purchaser which he had in effect during March 1942.

SEC. 7. Availability of order. Every seller making a sale covered by this order shall, if requested by the purchaser, make available to the purchaser for inspection a copy of this order. Copies for this purpose may be obtained from the office of the Regional Administrator or from the Denver District Office of the Office of Price Administration.

SEC. 8. Sales slips and records. (a) Every seller covered by this order who has customarily given his customers a sales slip or other evidence of purchase must continue to do so. Upon request from a customer such seller, regardless of previous custom, shall give the purchaser a receipt showing the date, name and address of the seller and the purchaser, a description and the quantity of each item sold and the price received for it. If he customarily prepared his sales slips in more than one copy he must keep a duplicate copy of each sales slip delivered by him pursuant to this section. Such sales slips and records required to be kept by subsection (b) of this section shall be kept at the seller's principal place of business in the area and shall be made available for inspection by representatives of the Office of Price Administration for so long as the Emergency Price Control Act of 1942, as amended, remains in effect.

(b) Each seller making a sale of \$10.00 or more, regardless of previous custom, must keep and retain at his principal place of business in the area covered by this order, records concerning each such sale covered by this order showing at least the following:

1. Name and address of buyer.
2. Date of transaction.
3. Place of delivery.
4. Complete description and quantity of each item sold and the price charged.
5. Any additional charges for delivery.

SEC. 9. Prohibitions against sales at higher than maximum prices. On and after the effective date of this order, regardless of any contract or other obligation, no person shall sell or offer to sell building or construction materials covered by this order at prices higher than the maximum prices established by this order.

SEC. 10. Evasions. (a) Any practice, scheme or device which results in a higher price to the purchaser of the specified commodities covered by this order than is permitted by this order shall be deemed to be a violation of this order and shall subject the seller to all the civil liabilities and the criminal penalties provided by the Emergency Price Control Act of 1942, as amended and extended.

(b) No seller shall as a part of the consideration or as a condition of a sale

of the specified commodities covered by this order, secretly or otherwise receive, either directly or indirectly, any side payment, commission, fee, consideration or other thing of value whatsoever nor shall the seller, either directly or indirectly acquire or receive in addition to the maximum prices established by this order the benefit of any services, transportation agreements or other valuable thing, material or property.

(c) No seller shall eliminate or reduce in any form or manner any discount or allowance customarily offered in connection with the sale of the specified commodities covered by this order nor shall the seller lower the quality thereof below that called for by the specifications or agreement with respect to the sale of the specified commodities covered by this order nor shall the seller in any manner make a delivery charge in excess of the amount provided in section 5 of the order.

(d) No seller shall by any of the foregoing plans, schemes or devices, or by any other plan, scheme or device receive or acquire or attempt to receive or acquire anything of value, service, valuable right, property or property right, money or other consideration whatsoever in addition to the maximum prices established in this order for the sale of the specified commodities covered by this order.

SEC. 11. Less than maximum prices. Prices lower than the maximum prices for sales covered by this order may, of course, be charged and paid.

SEC. 12. Licensing. The provisions of Licensing Order No. 1, licensing all persons who make sales under price control, are applicable to all sellers subject to this order. A seller's license may be suspended for violation of the license or of one or more applicable price schedules or regulations. A person whose license is suspended may not, during the period of suspension, make any sale for which his license has been suspended.

SEC. 14. Revocation or amendment. This order may be revoked, modified or amended at any time by the Price Administrator or by the Regional Administrator.

This Order No. G-2 shall become effective March 20, 1946.

Issued this 6th day of March 1946.

ARTHUR S. BRODHEAD,
Regional Administrator.

[F. R. Doc. 48-12617; Filed, July 24, 1946;
11:51 a. m.]

[Region VII Order G-3 Under Gen. Order 68]

DOUGLAS FIR PLYWOOD IN WYOMING

Order No. G-3 under General Order 68. Maximum prices for retail sales of Douglas fir plywood in the specified areas of the State of Wyoming. Docket No. 7-GO 68-3.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and under the authority vested in the Regional Administrator of Region VII by the Emergency Price Control Act of 1942,

as amended, and pursuant to the provisions of General Order 68, it is ordered:

SECTION 1. What this order covers. This Order No. G-3 under General Order 68 covers all retail sales of the sizes and types of Douglas Fir Plywood, hereinafter referred to as plywood listed in the annexed price tables made by sellers located in all of the State of Wyoming, excepting the Saratoga, Encampment, and Foxpark, Wyoming trading areas. Retail sales of plywood made in the three trading areas excepted from this order are covered in a separate Order No. G-4 because they have a different freight rate.

SEC. 2. Definition of retail sales. A "retail sale" means any sale to the ultimate consumer or to a contractor for installation rather than resale, except where the sale is made by a plywood manufacturer or a plywood distribution plant which in 1941 received more than 20% of its dollar income from the sale of plywood or veneer of any kind. These latter types of sale remain subject to the provisions of the 3d Revised Maximum Price Regulation No. 13.

SEC. 3. Relationship of this order to 3d Revised Maximum Price Regulation No. 13. The maximum prices for plywood established by this Order No. G-3 supersede any maximum price or pricing method established by 3d Revised Maximum Price Regulation No. 13 or by any other regulation or order. Except to the extent they are inconsistent with the provisions of this order, all other provisions of the 3d Maximum Price Regulation No. 15 shall apply to sales covered by this order.

SEC. 4. Authorized maximum prices. Upon and after the effective date of this Order No. G-3, the maximum prices for retail sales of plywood covered by this order shall be the prices set forth in the annexed price tables.¹ Maximum prices as therein set forth are different for each of the two classes of retailers.

Class I retailers are sellers who at any time since June 30, 1945, receive or have received at least one carload of plywood on direct mill shipment. Any shipment which comes directly to a Class I retailer from the mill without becoming an integral part of the stock of a distribution plant or a retail yard is a direct mill shipment.

Class II retailers are all other retail sellers, principally those who buy their plywood from plywood distribution plants or jobbers or other retailer sellers.

Maximum prices for Class I retailers are set forth in Tables I-A and I-B and those for Class II retailers in Tables II-A and II-B. Tables I-A and II-A show prices per square foot and apply to small quantity sales, that is, sales of less than 1,000 square feet, while Tables I-B and II-B show prices per thousand square feet and apply to large quantity sales, that is, sales of 1,000 square feet or more. The tables show a further designation "Freight Rate Area No. 5" which is one of a series of freight rate areas applicable in Region VII of the Office of Price Ad-

¹ Filed as part of the original document.

ministration and indicates that the car load freight rate for plywood in the area covered by this order is 53½¢ per cwt., from Seattle, Washington. Tables I-A, I-B, II-A, and II-B are annexed to and made a part of this order.

SEC. 5. Additions for delivery. (a) If the buyer requests delivery within a free delivery zone which the seller recognized during March 1942, the seller shall not charge for making the delivery.

(b) If the buyer requests delivery outside the free delivery zone which the seller recognized during March 1942, or if no free delivery zone was recognized by the seller during March 1942, the seller may make delivery charges not in excess of those made by him in March 1942 but if delivery is made by a common or contract carrier the seller shall not charge in excess of the actual freight paid.

(c) If the seller was not in business during March 1942, he may elect to establish a free delivery zone or to make delivery charges, or both, and any such delivery charges shall not be in excess of such charges made by competitors in his community during March 1942, and subject to the limitations of this section.

(d) All additional charges for delivery shall be itemized separately on any sale slips furnished the buyer and record thereof shall be kept as required by section 9 of this order.

SEC. 6. Extra freight charges applicable to Class II retailers. When in a particular community or area, a Class II retailer, as defined in section 4, pays inbound common carrier freight from his normal source of supply in excess of 45¢ per cwt. the dollars-and-cents prices established by this order may be increased per thousand square feet by the actual freight paid over 45¢ per cwt. computed on a 1,000 square foot basis for the estimated average weight of the appropriate thickness as set forth in the following table:

TABLE OF WEIGHTS

[Estimated average weights (pounds per M surface feet) of Douglas Fir Plywood which may be used in figuring inbound freight from normal source of supply in excess of 45¢ per 100 pounds]

Thickness:	Lbs. per 100 sq. ft.
1/4"	790
5/16"	1,125
1/2"	1,525
5/8"	1,825
3/4"	2,225
13/16"	2,375

The term "normal source of supply" as used in this section, means the source which customarily supplied Class II retailers in the community or area concerned during and prior to 1941. A Class II retailer who buys at a distance because of the low stocks of his customary source of supply and, therefore, pays inbound freight charges greater than he would have to pay when buying from his normal source of supply is entitled to the adjustment afforded by this section only to the extent of his inbound common carrier freight rate from his normal source of supply.

SEC. 7. Commissions, discounts and allowances. The maximum prices for ply-

wood established by this order include all commissions. All customary discounts for cash must be continued. Differentials in price based on quantities sold must be observed, as set forth in the annexed price tables.

SEC. 8. Availability of order. Every seller making a sale covered by this order shall, if requested by the buyer, make available to the buyer for inspection a copy of this order. Copies for this purpose may be obtained from the office of the Regional Administrator or from the Cheyenne District Office.

SEC. 9. Sales slips and records. (a) Every seller covered by this order who has customarily given his buyers a sales slip or other evidence of purchase must continue to do so. Upon request from a buyer such seller, regardless of previous custom shall give the customer a sales slip showing the date, name and address of the seller and buyer, a description and the quantity of each item sold, the price charged for each item, and any additional charges for delivery. If such seller customarily prepared the sales slip in more than one copy he must retain the duplicate copy of each sales slip delivered by him, pursuant to this section. Such sales slip and the records required to be kept by sub-section (b) of this section shall be kept at the seller's place of business and shall be made available for inspection by representatives of the Office of Price Administration for so long as the Emergency Price Control Act of 1942, as amended, remains in effect.

(b) Each seller making a sale of \$10.00 or more, regardless of previous custom, must keep and retain at his principal place of business in the area covered by this order, records concerning each such sale showing at least the following:

1. Name and address of buyer.
2. Date of transaction.
3. Place of delivery.
4. Complete description and the quantity of each item sold and price charged.
5. Any additional charges for delivery.

SEC. 10. Prohibitions against sales at higher than maximum prices. On and after the effective date of this order, regardless of any contract or other obligation no person shall sell or offer to sell plywood covered by this order at prices higher than the maximum prices established by this order, and no person shall agree, offer or attempt to do any of these things. Prices lower than the maximum prices may, of course, be charged and paid.

SEC. 11. Evasions. (a) Any practice, scheme or device which results in a higher price to the buyer of plywood covered by this order than is permitted by this order shall be deemed a violation and shall subject to seller to all the civil liabilities and the criminal penalties provided by the Emergency Price Control Act of 1942, as amended and extended.

(b) No seller shall as a part of the consideration or as a condition of a sale of plywood covered by this order, secretly or otherwise receive, either directly or indirectly any side payment, commission, fee, consideration or other thing

of value whatsoever nor shall the seller, either directly or indirectly, acquire or receive in addition to the maximum prices established by the order any benefit of any services, transportation agreements or other valuable thing, material or property.

(c) No seller shall eliminate or reduce in any form or manner any discount or allowance customarily offered in connection with the sale of plywood covered by this order; nor shall the seller lower the quality thereof below that called for by the specifications or agreement with respect to the sale of plywood; nor shall the seller in any manner make a delivery charge in excess of the amounts provided in Section 5 of this order.

(d) No seller shall by any of the foregoing plans, schemes or devices, or by any other plan, scheme or device, receive or acquire or attempt to receive or acquire anything of value, service, valuable right, property or property right, money or other consideration whatsoever, in addition to the maximum prices established in this order for the sale of plywood covered by this order.

SEC. 12. Licensing. The provisions of Licensing Order No. 1, licensing all persons who make sales under price control are applicable to all sellers subject to this order. A seller's license may be suspended for violation of the license or of one or more applicable price schedules or regulations. A person whose license is suspended may not, during the period of suspension, make any sale for which his license has been suspended.

SEC. 13. Revocation or amendment. This order may be revoked, modified or amended at any time by the Price Administrator or by the Regional Administrator.

This Order No. G-3 shall become effective March 15, 1946.

Dated this 1st day of March 1946.

ARTHUR S. BRODHEAD,
Regional Administrator.

[F. R. Doc. 46-12618; Filed, July 24, 1946;
11:51 a. m.]

[Region VII Order G-6 Under Gen. Order 68]

BUILDING AND CONSTRUCTION MATERIALS IN
EL PASO COUNTY, COLO., AREA

Order No. G-6 under General Order 68. Maximum prices for retail sales of certain building and construction materials in the El Paso County, Colorado, area. Docket No. 7-GO 68-6.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the provisions of General Order 68, it is hereby ordered:

SECTION 1. What this order does. This Order No. G-6 under General Order 68 covers all retail sales by any seller located in the El Paso County, Colorado, area, herein designated as Colorado Building Materials Area No. 2, of the specified building and construction materials listed in the tables annexed to and incorporated herein.¹ The El Paso

¹ Filed as part of the original document.

County, Colorado, area for the purposes of this order includes all of El Paso County with the exception of the towns of Calhan and Ramah.

SEC. 2. Definitions. For the purposes of this order:

(a) "Retail sale" means a sale to an ultimate user or to a purchaser for resale on an installed basis.

(b) "Delivered sale" means the sale of any quantity of the building and construction materials covered by this order, delivered to any point designated by the purchaser.

(c) "Yard sale" means the sale of any quantity of the building and construction materials covered by this order delivered to the purchaser at the seller's yard, store, or warehouse.

(d) "Building and construction materials" means the masonry, gypsum and metal lath, insulation and wall board, roofing and siding, and metal products materials, as set forth in the annexed price tables incorporated in this order.

SEC. 3. Relation to other regulations. The maximum prices established by this Order No. G-6 supersede any maximum prices or pricing methods previously established by any other regulation or order covering the commodities listed in the tables annexed to and incorporated herein. Except to the extent that they are inconsistent with the provisions of this order, all other provisions of the General Maximum Price Regulation or other applicable regulation or order shall continue to apply to retail sales covered by this order.

SEC. 4. Authorized maximum prices. Upon and after the effective date of this Order No. G-6, the maximum prices for the retail sales of the specified building and construction materials covered by this order shall be the prices listed in the tables annexed to and incorporated herein.

SEC. 5. Delivery practices. (a) Sales under this order may be made as yard sales or delivered sales. If the buyer requests delivery within a free delivery zone which the seller recognized during March 1942, the seller shall not charge for making the delivery.

(b) If the buyer requests delivery outside the free delivery zone which the seller recognized during March 1942 or if no free delivery zone was recognized by the seller in March 1942, the seller may make delivery charges not in excess of those made by him in March 1942 but if delivery is made by a common or contract carrier the seller shall not charge in excess of the actual freight paid.

(c) If the seller was not in business during March 1942, he may elect to establish a free delivery zone or to make delivery charges, or both, and any such delivery charges shall not be in excess of such charges made by his principal competitors in his community for delivery during March 1942, and subject to the limitations of this section.

(d) All additional charges for delivery shall be itemized separately on any sales slips furnished the buyer and record

thereof shall be kept as required by section 8 of this order.

SEC. 6. Discounts and allowances. Each seller, subject to this order, must maintain his customary terms, discounts, and allowances on sales to each class of purchaser which he had in effect during March 1942.

SEC. 7. Availability of order. Every seller making a sale covered by this order shall, if requested by the purchaser, make available to the purchaser for inspection a copy of this order. Copies for this purpose may be obtained from the office of the Regional Administrator or from the Denver District Office of the Office of Price Administration.

SEC. 8. Sales slips and records. (a) Every seller covered by this order who has customarily given his customers a sales slip or other evidence of purchase must continue to do so. Upon request from a customer such seller, regardless of previous custom, shall give the purchaser a receipt showing the date, name and address of the seller and the purchaser, a description and the quantity of each item sold and the price received for it. If he customarily prepared his sales slips in more than one copy he must keep a duplicate copy of each sales slip delivered by him pursuant to this section. Such sales slips and records required to be kept by subsection (b) of this section shall be kept at the seller's principal place of business in the area and shall be made available for inspection by representatives of the Office of Price Administration for so long as the Emergency Price Control Act of 1942, as amended, remains in effect.

(b) Each seller making a sale of \$10.00 or more, regardless of previous custom, must keep and retain at his principal place of business in the area covered by this order, records concerning each such sale covered by this order showing at least the following:

1. Name and address of buyer.
2. Date of transaction.
3. Place of delivery.
4. Complete description and quantity of each item sold and the price charged.
5. Any additional charges for delivery.

SEC. 9. Prohibitions against sales at higher than maximum prices. On and after the effective date of this order, regardless of any contract or other obligation, no person shall sell or offer to sell building or construction materials covered by this order at prices higher than the maximum prices established by this order.

SEC. 10. Evasions. (a) Any practice, scheme or device which results in a higher price to the purchaser of the specified commodities covered by this order than is permitted by this order shall be deemed to be a violation of this order and shall subject the seller to all the civil liabilities and the criminal penalties provided by the Emergency Price Control Act of 1942, as amended and extended.

(b) No seller shall as a part of the consideration or as a condition of a sale of the specified commodities covered by this order, secretly or otherwise receive, either

directly or indirectly, any side payment, commission, fee, consideration or other thing of value whatsoever nor shall the seller, either directly or indirectly acquire or receive in addition to the maximum prices established by this order the benefit of any services, transportation agreements or other valuable thing, material or property.

(c) No seller shall eliminate or reduce in any form or manner any discount or allowance customarily offered in connection with the sale of the specified commodities covered by this order nor shall the seller lower the quality thereof below that called for by the specifications or agreement with respect to the sale of the specified commodities covered by this order nor shall the seller in any manner make a delivery charge in excess of the amount provided in section 5 of the order.

(d) No seller shall by any of the foregoing plans, scheme or devices, or by any other plan, scheme or device receive or acquire or attempt to receive or acquire anything of value, service, valuable right, property or property right, money or other consideration whatsoever in addition to the maximum prices established in this order for the sale of the specified commodities covered by this order.

SEC. 11. Less than maximum prices. Prices lower than the maximum prices for sales covered by this order may, of course, be charged and paid.

SEC. 12. Licensing. The provisions of Licensing Order No. 1, licensing all persons who make sales under price control are applicable to all sellers subject to this order. A seller's license may be suspended for violation of the license or of one or more applicable price schedules or regulations. A person whose license is suspended may not, during the period of suspension, make any sale for which his license has been suspended.

SEC. 13. Revocation or amendment. This order may be revoked, modified or amended at any time by the Price Administrator or by the Regional Administrator.

This Order No. G-6 shall become effective April 15, 1946.

Issued this 3d day of April 1946.

ARTHUR S. BROADHEAD,
Regional Administrator.

[F. R. Doc. 46-12619; Filed, July 24, 1946;
11:53 a. m.]

[Region VII Order G-7 Under Gen. Order 68]

BUILDING AND CONSTRUCTION MATERIALS IN
PUEBLO COUNTY, COLO., AREA

Order No. G-7 under General Order No. 68. Maximum prices for retail sales of certain building and construction materials in the Pueblo County, Colorado, area. Docket No. 7-GO 68-7.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the provisions of General Order 68, it is hereby ordered:

SECTION 1. What this order does. This Order No. G-7 under General Order 68

covers all retail sales by any seller, located in the Pueblo County, Colorado area, herein designated as Colorado Building Materials Area No. 3 of the specified building and construction materials listed in the tables annexed to and incorporated herein.¹ The Pueblo County, Colorado area, for the purposes of this order, includes all of Pueblo County, Colorado.

SEC. 2. Definitions. For the purposes of this order:

(a) "Retail sale" means a sale to an ultimate user or to a purchaser for resale on an installed basis.

(b) "Delivered sale" means the sale of any quantity of the building and construction materials covered by this order, delivered to any point designated by the purchaser.

(c) "Yard sale" means the sale of any quantity of the building and construction materials covered by this order delivered to the purchaser at the seller's yard, store or warehouse.

(d) "Building and construction materials" means the masonry, gypsum, and metal lath, insulation and wall board, roofing and siding, and metal products materials, as set forth in the annexed price tables incorporated in this order.

SEC. 3. Relation to other regulations. The maximum prices established by this Order No. G-7 supersede any maximum prices or pricing method previously established by any other regulation or order covering the commodities listed in the tables annexed to and incorporated herein. Except to the extent that they are inconsistent with the provisions of this order, all other provisions of the General Maximum Price Regulation or other applicable regulation or order shall continue to apply to retail sales covered by this order.

SEC. 4. Authorized maximum prices. Upon and after the effective date of this Order No. G-7, the maximum prices for the retail sales of the specified building and construction materials covered by this order shall be the prices listed in the tables annexed to and incorporated herein.

SEC. 5. Delivery practices. (a) Sales under this order may be made as yard sales or delivered sales. If the buyer requests delivery within a free delivery zone which the seller recognized during March 1942, the seller shall not charge for making the delivery.

(b) If the buyer requests delivery outside the free delivery zone which the seller recognized during March 1942, or if no free delivery zone was recognized by the seller in March 1942, the seller may make delivery charges not in excess of those made by him in March 1942, but if delivery is made by a common or contract carrier the seller shall not charge in excess of the actual freight paid.

(c) If the seller was not in business during March 1942, he may elect to establish a free delivery zone or to make delivery charges, or both, and any such delivery charges shall not be in excess of such charges made by his principal competitors in his community for delivery

during March 1942, and subject to the limitations of this section.

(d) All additional charges for delivery shall be itemized separately on any sales slips furnished the buyer and record thereof shall be kept as required by section 8 of this order.

SEC. 6. Discounts and allowances. Each seller, subject to this order, must maintain his customary terms, discounts, and allowances on sales to each class of purchaser which he had in effect during March 1942.

SEC. 7. Availability of order. Every seller making a sale covered by this order shall, if requested by the purchaser, make available to the purchaser for inspection a copy of this order. Copies for this purpose may be obtained from the office of the Regional Administrator or from the Denver District Office of the Office of Price Administration.

SEC. 8. Sales slips and records. (a) Every seller covered by this order who has customarily given his customers a sales slip or other evidence of purchase must continue to do so. Upon request from a customer such seller, regardless of previous custom, shall give the purchaser a receipt showing the date, name and address of the seller and the purchaser, a description and the quantity of each item sold and the price received for it. If he customarily prepared his sales slips in more than one copy he must keep a duplicate copy of each sales slip delivered by him pursuant to this section. Such sales slips and records required to be kept by sub-section (b) of this section shall be kept at the seller's principal place of business in the area and shall be made available for inspection by representatives of the Office of Price Administration for so long as the Emergency Price Control Act of 1942, as amended, remains in effect.

(b) Each seller making a sales of \$10.00 or more, regardless of previous custom, must keep and retain at his principal place of business in the area covered by this order, records concerning each such sale covered by this order showing at least the following:

1. Name and address of buyer.
2. Date of transaction.
3. Place of delivery.
4. Complete description and quantity of each item sold and the price charged.
5. Any additional charges for delivery.

SEC. 9. Prohibitions against sales at higher than maximum prices. On and after the effective date of this order, regardless of any contract or other obligation, no person shall sell or offer to sell building or construction materials covered by this order at prices higher than the maximum prices established by this order.

SEC. 10. Evasions. (a) Any practice, scheme or device which results in a higher price to the purchaser of the specified commodities covered by this order than is permitted by this order shall be deemed to be a violation of this order and shall subject the seller to all the civil liabilities and the criminal penalties provided by the Emergency Price Control Act of 1942, as amended and extended.

(b) No seller shall as a part of the consideration or as a condition of a sale of the specified commodities covered by this order, secretly or otherwise receive, either directly or indirectly, any side payment, commission, fee, consideration or other thing of value whatsoever nor shall the seller, either directly or indirectly acquire or receive in addition to the maximum prices established by this order the benefit of any services, transportation agreements or other valuable thing, material or property.

(c) No seller shall eliminate or reduce in any form or manner any discount or allowance customarily offered in connection with the sale of the specified commodities covered by this order nor shall the seller lower the quality thereof below that called for by the specifications or agreement with respect to the sale of the specified commodities covered by this order nor shall the seller in any manner make a delivery charge in excess of the amount provided in section 5 of the order.

(d) No seller shall by any of the foregoing plans, schemes or devices, or by any other plan, scheme or device receive or acquire or attempt to receive or acquire anything of value, service, valuable right, property or property right, money or other consideration whatsoever in addition to the maximum prices established in this order for the sale of the specified commodities covered by this order.

SEC. 11. Less than maximum prices. Prices lower than the maximum prices for sales covered by this order may, of course, be charged and paid.

SEC. 12. Licensing. The provisions of Licensing Order No. 1, licensing all persons who make sales under price control, are applicable to all sellers subject to this order. A seller's license may be suspended for violation of the license or of one or more applicable price schedules or regulations. A person whose license is suspended may not, during the period of suspension, make any sale for which his license has been suspended.

SEC. 13. Revocation or amendment. This order may be revoked, modified or amended at any time by the Price Administrator or by the Regional Administrator.

This Order No. G-7 shall become effective April 15, 1946.

Issued this 3d day of April 1946.

ARTHUR S. BRODHEAD,
Regional Administrator.

[F. R. Doc. 46-12620; Filed, July 24, 1946;
11:54 a. m.]

[Region VII Order G-8 Under Gen. Order 68]

BUILDING AND CONSTRUCTION MATERIALS IN
LARAMIE COUNTY, WYO., AREA

Order No. G-8 under General Order No. 68. Maximum prices for retail sales of certain building and construction materials in the Laramie County, Wyoming, area. Docket No. 7-GO 68-8.

For the reasons set forth in an opinion issued simultaneously herewith and filed

¹ Filed as part of the original document.

with the Division of the Federal Register, and pursuant to the provisions of General Order 68, it is hereby ordered:

SECTION 1. What this order does. This Order No. G-8 under General Order 68 covers all retail sales by any seller, located in the Laramie County, Wyoming area, herein designated as Wyoming Building Materials Area No. 1, of the specified building and construction materials listed in the tables annexed to and incorporated herein.¹ The Laramie County, Wyoming area for the purposes of this order includes all of Laramie County, Wyoming.

SEC. 2. Definitions. For the purposes of this order:

(a) "Retail sale" means a sale to an ultimate user or to a purchaser for resale on an installed basis.

(b) "Delivered sale" means the sale of any quantity of the building and construction materials covered by this order, delivered to any point designated by the purchaser.

(c) "Yard sale" means the sale of any quantity of the building and construction materials covered by this order delivered to the purchaser at the seller's yard, store or warehouse.

(d) "Building and construction materials" means the masonry, gypsum, and metal lath, insulation and wall board, roofing and siding, and metal products materials, as set forth in the annexed price tables incorporated in this order.

SEC. 3. Relation to other regulations. The maximum prices established by this Order No. G-8 supersede any maximum prices or pricing method previously established by any other regulation or order covering the commodities listed in the tables annexed to and incorporated herein. Except to the extent that they are inconsistent with the provisions of this order, all other provisions of the General Maximum Price Regulation or other applicable regulation or order shall continue to apply to retail sales covered by this order.

SEC. 4. Authorized maximum prices. Upon and after the effective date of this Order No. G-8, the maximum prices for the retail sales of the specified building and construction materials covered by this order shall be the prices listed in the tables annexed to and incorporated herein.

SEC. 5. Delivery practices. (a) Sales under this order may be made as yard sales or delivered sales. If the buyer requests delivery within a free delivery zone which the seller recognized during March, 1942, the seller shall not charge for making the delivery.

(b) If the buyer requests delivery outside the free delivery zone which the seller recognized during March 1942, or if no free delivery zone was recognized by the seller in March, 1942, the seller may make delivery charges not in excess of those made by him in March 1942, but if delivery is made by a common or contract carrier the seller shall not charge in excess of the actual freight paid.

(c) If the seller was not in business during March, 1942, he may elect to establish a free delivery zone or to make delivery charges, or both, and any such delivery charges shall not be in excess of such charges made by his principal competitors in his community for delivery during March, 1942, and subject to the limitations of this section.

(d) All additional charges for delivery shall be itemized separately on any sales slips furnished the buyer and record thereof shall be kept as required by section 8 of this order.

SEC. 6. Discounts and allowances. Each seller, subject to this order, must maintain his customary terms, discounts, and allowances on sales to each class of purchaser which he had in effect during March, 1942.

SEC. 7. Availability of order. Every seller making a sale covered by this order shall, if requested by the purchaser, make available to the purchaser for inspection a copy of this order. Copies for this purpose may be obtained from the office of the Regional Administrator or from the Cheyenne District Office of Price Administration.

SEC. 8. Sales slips and records. (a) Every seller covered by this order who has customarily given his customers a sales slip or other evidence of purchase must continue to do so. Upon request from a customer such seller, regardless of previous custom, shall give the purchaser a receipt showing the date, name and address of the seller and the purchaser, a description and the quantity of each item sold and the price received for it. If he customarily prepared his sales slips in more than one copy he must keep a duplicate copy of each sales slip delivered by him pursuant to this section. Such sales slips and records required to be kept by subsection (b) of this section shall be kept at the seller's principal place of business in the area and shall be made available for inspection by representatives of the Office of Price Administration for so long as the Emergency Price Control Act of 1942, as amended, remains in effect.

(b) Each seller making a sale of \$10.00 or more, regardless of previous custom, must keep and retain at his principal place of business in the area covered by this order, records concerning each such sale covered by this order showing at least the following:

1. Name and address of buyer.
2. Date of transaction.
3. Place of delivery.
4. Complete description and quantity of each item sold and the price charged.
5. Any additional charges for delivery.

SEC. 9. Prohibitions against sales at higher than maximum prices. On and after the effective date of this order, regardless of any contract or other obligation, no person shall sell or offer to sell building or construction materials covered by this order at prices higher than the maximum prices established by this order.

SEC. 10. Evasions. (a) Any practice, scheme or device which results in a higher price to the purchaser of the

specified commodities covered by this order than is permitted by this order shall be deemed to be a violation of this order and shall subject the seller to all the civil liabilities and the criminal penalties provided by the Emergency Price Control Act of 1942, as amended and extended.

(b) No seller shall, as a part of the consideration or as a condition of a sale of the specified commodities covered by this order, secretly or otherwise receive, either directly or indirectly, any side payment, commission, fee, consideration or other thing of value whatsoever nor shall the seller, either directly or indirectly acquire or receive in addition to the maximum prices established by this order the benefit of any services, transportation agreements or other valuable thing, material or property.

(c) No seller shall eliminate or reduce in any form or manner any discount or allowance customarily offered in connection with the sale of the specified commodities covered by this order nor shall the seller lower the quality thereof below that called for by the specifications or agreement with respect to the sale of the specified commodities covered by this order nor shall the seller in any manner make a delivery charge in excess of the amount provided in section 5 of the order.

(d) No seller shall by any of the foregoing plans, scheme or devices, or by any other plan, scheme or device receive or acquire or attempt to receive or acquire anything of value, service, valuable right, property or property right, money or other consideration whatsoever in addition to the maximum prices established in this order for the sale of the specified commodities covered by this order.

SEC. 11. Less than maximum prices. Prices lower than the maximum prices for sales covered by this order may, of course, be charged and paid.

SEC. 12. Licensing. The provisions of Licensing Order No. 1, licensing all persons who make sales under price control, are applicable to all sellers subject to this order. A seller's license may be suspended for violation of the license or of one or more applicable price schedules or regulations. A person whose license is suspended may not, during the period of suspension, make any sale for which his license has been suspended.

SEC. 13. Revocation or amendment. This order may be revoked, modified or amended at any time by the Price Administrator or by the Regional Administrator.

This Order No. G-8 shall become effective April 15, 1946.

Issued this 3d day of April 1946.

ARTHUR S. BRODHEAD,
Regional Administrator.

[F. R. Doc. 46-12621; Filed, July 24, 1946;
11:54 a. m.]

¹ Filed as part of the original document.

[Region VII Order G-18 Under Gen. Order 68]

BUILDING AND CONSTRUCTION MATERIALS IN LOGAN AND MORGAN COUNTIES, COLO., AREA

Order No. G-18 under General Order No. 68, maximum prices for retail sales of certain building and construction materials in the Logan and Morgan Counties, Colorado area. Docket No. 7-GO 68-18.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the provisions of General Order 68, it is hereby ordered.

SECTION 1. What this order does. This Order No. G-18 under General Order 68 covers all retail sales by any seller, located in the Logan and Morgan Counties, Colorado area, herein designated as Colorado Building Materials Area No. 5, of the specified building and construction materials listed in the tables annexed to and incorporated herein.¹ The Logan and Morgan Counties, Colorado area, for the purposes of this order includes all of Logan and Morgan Counties, Colorado.

SEC. 2. Definitions. For the purposes of this order:

(a) "Retail sale" means a sale to an ultimate user or to a purchaser for resale on an installed basis.

(b) "Delivered sale" means the sale of any quantity of the building and construction materials covered by this order, delivered to any point designated by the purchaser.

(c) "Yard sale" means the sale of any quantity of the building and construction materials covered by this order delivered to the purchaser at the seller's yard, store or warehouse.

(d) "Building and construction materials" means the masonry, gypsum, and metal lath, insulation and wall board, roofing and siding, and metal products materials, as set forth in the annexed price tables incorporated in this order.

SEC. 3. Relation to other regulations. The maximum prices established by this Order No. G-18 superseded any maximum prices or pricing method previously established by any other regulation or order covering the commodities listed in the tables annexed to and incorporated herein. Except to the extent that they are inconsistent with the provisions of this order, all other provisions of the General Maximum Price Regulation or other applicable regulation or order shall continue to apply to retail sales covered by this order.

SEC. 4. Authorized maximum prices. Upon and after the effective date of this Order No. G-18, the maximum prices for the retail sales of the specified building and construction materials covered by this order shall be the prices listed in the tables annexed to and incorporated herein.

SEC. 5. Delivery practices. (a) Sales under this order may be made as yard

sales or delivered sales. If the buyer requests delivery within a free delivery zone which the seller recognized during March 1942, the seller shall not charge for making the delivery.

(b) If the buyer requests delivery outside the free delivery zone which the seller recognized during March 1942 or if no free delivery zone was recognized by the seller in March 1942, the seller may make delivery charges not in excess of those made by him in March 1942 but if delivery is made by a common or contract carrier the seller shall not charge in excess of the actual freight paid.

(c) If the seller was not in business during March 1942, he may elect to establish a free delivery zone or to make delivery charges, or both, and any such delivery charges shall not be in excess of such charges made by his principal competitors in his community for delivery during March 1942, and subject to the limitations of this section.

(d) All additional charges for delivery shall be itemized separately on any sales slips furnished the buyer and record thereof shall be kept as required by section 8 of this order.

SEC. 6. Discounts and allowances. Each seller, subject to this order, must maintain his customary terms, discounts, and allowances on sales to each class of purchaser which he had in effect during March 1942.

SEC. 7. Availability of order. Every seller making a sale covered by this order shall, if requested by the purchaser, make available to the purchaser for inspection a copy of this order. Copies for this purpose may be obtained from the office of the Regional Administrator or from the Denver District Office of the Office of Price Administration.

SEC. 8. Sales slips and records. (a) Every seller covered by this order who has customarily given his customers a sales slip or other evidence of purchase must continue to do so. Upon request from a customer such seller, regardless of previous custom, shall give the purchaser a receipt showing the date, name and address of the seller and the purchaser, a description and the quantity of each item sold and price received for it. If he customarily prepared his sales slips in more than one copy he must keep a duplicate copy of each sales slip delivered by him pursuant to this section. Such sales slips and records required to be kept by subsection (b) of this section shall be kept at the seller's principal place of business in the area and shall be made available for inspection by representatives of the Office of Price Administration for so long as the Emergency Price Control Act of 1942, as amended, remains in effect.

(b) Each seller making a sale of \$10.00 or more, regardless of previous custom, must keep and retain at his principal place of business in the area covered by this order, records concerning each such sale covered by this order showing at least the following:

1. Name and address of buyer.
2. Date of transaction.
3. Place of delivery.

4. Complete description and quantity of each item sold and the price charged.

5. Any additional charges for delivery.

SEC. 9. Prohibitions against sales at higher than maximum prices. On and after the effective date of this order, regardless of any contract or other obligation, no person shall sell or offer to sell building or construction materials covered by this order at prices higher than the maximum prices established by this order.

SEC. 10. Evasions. (a) Any practice, scheme or device which results in a higher price to the purchaser of the specified commodities covered by this order than is permitted by this order shall be deemed to be a violation of this order and shall subject the seller to all the civil liabilities and the criminal penalties provided by the Emergency Price Control Act of 1942, as amended and extended.

(b) No seller shall as a part of the consideration or as a condition of a sale of the specified commodities covered by this order, secretly or otherwise receive, either directly or indirectly, any side payment, commission, fee, consideration or other thing of value whatsoever nor shall the seller, either directly or indirectly acquire or receive in addition to the maximum prices established by this order the benefit of any services, transportation agreements or other valuable thing, material or property.

(c) No seller shall eliminate or reduce in any form or manner any discount or allowance customarily offered in connection with the sale of the specified commodities covered by this order nor shall the seller lower the quality thereof below that called for by the specifications or agreement with respect to the sale of the specified commodities covered by this order nor shall the seller in any manner make a delivery charge in excess of the amount provided in section 5 of the order.

(d) No seller shall by any of the foregoing plans, schemes or devices, or by any other plan, scheme or device receive or acquire or attempt to receive or acquire anything of value, service, valuable right, property or property right, money or other consideration whatsoever in addition to the maximum prices established in this order for the sale of the specified commodities covered by this order.

SEC. 11. Less than maximum prices. Prices lower than the maximum prices for sales covered by this order may, of course, be charged and paid.

SEC. 12. Licensing. The provisions of Licensing Order No. 1, licensing all persons who make sales under price control, are applicable to all sellers subject to this order. A seller's license may be suspended for violation of the license or of one or more applicable price schedules or regulations. A person whose license is suspended may not, during the period of suspension, make any sale for which his license has been suspended.

SEC. 13. Revocation or amendment. This order may be revoked, modified or amended at any time by the Price Administrator or by the Regional Administrator.

¹ Filed as part of original document.

This Order No. G-18 shall become effective May 6, 1946.

Issued this 24th day of April 1946.

ARTHUR S. BRODHEAD,
Regional Administrator.

[F. R. Doc. 46-12614; Filed, July 24, 1946;
11:56 a. m.]

[Region VII Order G-19 Under Gen. Order 68]

**BUILDING AND CONSTRUCTION MATERIALS IN
PHILLIPS, SEDGWICK, WASHINGTON AND
YUMA COUNTIES, COLO., AREA**

Order No. G-19 under General Order No. 68. Maximum prices for retail sales of certain building and construction materials in the Phillips, Sedgwick, Washington and Yuma Counties, Colorado, area. Docket No. 7-GO 68-19.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the provisions of General Order 68, it is hereby ordered:

SECTION 1. What this order does. This Order No. G-19 under General Order 68 covers all retail sales by any seller, located in the Phillips, Sedgwick, Washington and Yuma Counties, Colorado area, herein designated as Colorado Building Materials Area No. 6, of the specified building and construction materials listed in the tables annexed to and incorporated herein.¹ The Phillips, Sedgwick, Washington and Yuma Counties, Colorado area, for the purposes of this order includes all of Phillips, Sedgwick, Washington and Yuma Counties, Colorado.

SEC. 2. Definitions. For the purposes of this order:

(a) "Retail sale" means a sale to an ultimate user or to a purchaser for resale on an installed basis.

(b) "Delivered sale" means the sale of any quantity of the building and construction materials covered by this order, delivered to any point designated by the purchaser.

(c) "Yard sale" means the sale of any quantity of the building and construction materials covered by this order delivered to the purchaser at the seller's yard, store or warehouse.

(d) "Building and construction materials" means the masonry, gypsum, and metal lath, insulation and wall board, roofing and siding, and metal products materials, as set forth in the annexed price tables incorporated in this order

SEC. 3. Relation to other regulations. The maximum prices established by this Order No. G-19 supersede any maximum prices or pricing method previously established by any other regulation or order covering the commodities listed in the tables annexed to and incorporated herein. Except to the extent that they are inconsistent with the provisions of this order, all other provisions of the General Maximum Price Regulation or other applicable regulation or order shall continue to apply to retail sales covered by this order.

¹ Filed as part of original document.

SEC. 4. Authorized maximum prices. Upon and after the effective date of this Order No. G-19, the maximum prices for the retail sales of the specified building and construction materials covered by this order shall be the prices listed in the tables annexed to and incorporated herein.

SEC. 5. Delivery practices. (a) Sales under this order may be made as yard sales or delivered sales. If the buyer requests delivery within a free delivery zone which the seller recognized during March 1942, the seller shall not charge for making the delivery.

(b) If the buyer requests delivery outside the free delivery zone which the seller recognized during March 1942 or if no free delivery zone was recognized by the seller in March 1942, the seller may make delivery charges not in excess of those made by him in March 1942 but if delivery is made by a common or contract carrier the seller shall not charge in excess of the actual freight paid.

(c) If the seller was not in business during March 1942, he may elect to establish a free delivery zone or to make delivery charges, or both, and any such delivery charges shall not be in excess of such charges made by his principal competitors in his community for delivery during March 1942, and subject to the limitations of this section.

(d) All additional charges for delivery shall be itemized separately on any sales slips furnished the buyer and record thereof shall be kept as required by section 8 of this order.

SEC. 6. Discounts and allowances. Each seller, subject to this order, must maintain his customary terms, discounts, and allowances on sales to each class of purchaser which he had in effect during March 1942.

SEC. 7. Availability of order. Every seller making a sale covered by this order shall, if requested by the purchaser, make available to the purchaser for inspection a copy of this order. Copies for this purpose may be obtained from the office of the Regional Administrator or from the Denver District Office of the Office of Price Administration.

SEC. 8. Sales slips and records. (a) Every seller covered by this order who has customarily given his customers a sales slip or other evidence of purchase must continue to do so. Upon request from a customer such seller, regardless of previous custom, shall give the purchaser a receipt showing the date, name and address of the seller and the purchaser, a description and the quantity of each item sold and the price received for it. If he customarily prepared his sales slips in more than one copy he must keep a duplicate copy of each sales slip delivered by him pursuant to this section. Such sales slips and records required to be kept by subsection (b) of this section shall be kept at the seller's principal place of business in the area and shall be made available for inspection by representatives of the Office of Price Administration for so long as the Emergency Price Control Act of 1942, as amended, remains in effect.

(b) Each seller making a sale of \$10.00 or more, regardless of previous custom, must keep and retain at his principal place of business in the area covered by this order, records concerning each such sale covered by this order showing at least the following:

1. Name and address of buyer.
2. Date of transaction.
3. Place of delivery.
4. Complete description and quantity of each item sold and the price charged.
5. Any additional charges for delivery.

SEC. 9. Prohibitions against sales at higher than maximum prices. On and after the effective date of this order, regardless of any contract or other obligation, no person shall sell or offer to sell building or construction materials covered by this order at prices higher than the maximum prices established by this order.

SEC. 10. Evasions. (a) Any practice, scheme, or device which results in a higher price to the purchaser of the specified commodities covered by this order than is permitted by this order shall be deemed to be a violation of this order and shall subject the seller to all the civil liabilities and the criminal penalties provided by the Emergency Price Control Act of 1942, as amended and extended.

(b) No seller shall, as a part of the consideration or as a condition of a sale of the specified commodities covered by this order, secretly or otherwise receive, either directly or indirectly, any side payment, commission, fee, consideration or other thing of value whatsoever nor shall the seller, either directly or indirectly acquire or receive in addition to the maximum prices established by this order the benefit of any services, transportation agreements or other valuable thing, material or property.

(c) No seller shall eliminate or reduce in any form or manner any discount or allowance customarily offered in connection with the sale of the specified commodities covered by this order nor shall the seller lower the quality thereof below that called for by the specifications or agreement with respect to the sale of the specified commodities covered by this order nor shall the seller in any manner make a delivery charge in excess of the amount provided in section 5 of the order.

(d) No seller shall by any of the foregoing plans, schemes or devices, or by any other plan, scheme or device receive or acquire or attempt to receive or acquire anything of value, service, valuable right, property or property right, money or other consideration whatsoever in addition to the maximum prices established in this order for the sale of the specified commodities covered by this order.

SEC. 11. Less than maximum prices. Prices lower than the maximum prices for sales covered by this order may, of course, be charged and paid.

SEC. 12. Licensing. The provisions of Licensing Order No. 1, licensing all persons who make sales under price control, are applicable to all sellers subject to this order. A seller's license may be

suspended for violation of the license or of one or more applicable price schedules or regulations. A person whose license is suspended may not, during the period of suspension, make any sale for which his license has been suspended.

SEC. 13. Revocation or amendment. This order may be revoked, modified or amended at any time by the Price Administrator or by the Regional Administrator.

This Order No. G-19 shall become effective May 6, 1946.

Issued this 24th day of April 1946.

ARTHUR S. BRODHEAD,
Regional Administrator.

[F. R. Doc. 46-12615; Filed, June 24, 1946;
11:57 a. m.]

[Region VII Order G-20 Under Gen. Order 68]

**BUILDING AND CONSTRUCTION MATERIALS IN
CHEYENNE, KIT CARSON AND LINCOLN
COUNTIES, COLO., AREA**

Order No. G-20 under General Order No. 68 maximum prices for retail sales of certain building and construction materials in the Cheyenne, Kit Carson and Lincoln Counties, Colorado area. Docket No. 7-GO 68-20.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the provisions of General Order 68, it is hereby ordered:

SECTION 1. What this order does. This Order No. G-20 under General Order 68 covers all retail sales by any seller, located in the Cheyenne, Kit Carson and Lincoln Counties, Colorado area, herein designated as Colorado Building Materials Area No. 7, of the specified building and construction materials listed in the tables annexed to and incorporated herein.¹ The Cheyenne, Kit Carson and Lincoln Counties, Colorado area, for the purposes of this order includes all of Cheyenne, Kit Carson and Lincoln Counties, Colorado.

SEC. 2. Definitions. For the purposes of this order:

(a) "Retail sale" means a sale to an ultimate user or to a purchaser for resale on an installed basis.

(b) "Delivered sale" means the sale of any quantity of the building and construction materials covered by this order, delivered to any point designated by the purchaser.

(c) "Yard sale" means the sale of any quantity of the building and construction materials covered by this order delivered to the purchaser at the seller's yard, store or warehouse.

(d) "Building and construction materials" means the masonry, gypsum and metal lath, insulation and wall board, roofing and siding, and metal products materials, as set forth in the annexed price tables incorporated in this order.

SEC. 3. Relation to other regulations. The maximum prices established by this Order No. G-20 supersede any maximum prices or pricing method previously established by any other regulation or order.

¹ Filed as part of original document.

der covering the commodities listed in the tables annexed to and incorporated herein. Except to the extent that they are inconsistent with the provisions of this order, all other provisions of the General Maximum Price Regulation or other applicable regulation or order shall continue to apply to retail sales covered by this order.

SEC. 4. Authorized maximum prices. Upon and after the effective date of this Order No. G-20, the maximum prices for the retail sales of the specified building and construction materials covered by this order shall be the prices listed in the tables annexed to and incorporated herein.

SEC. 5. Delivery practices. (a) Sales under this order may be made as yard sales or delivered sales. If the buyer requests delivery within a free delivery zone which the seller recognized during March 1942, the seller shall not charge for making the delivery.

(b) If the buyer requests delivery outside the free delivery zone which the seller recognized during March 1942 or if no free delivery zone was recognized by the seller in March 1942, the seller may make delivery charges not in excess of those made by him in March 1942 but if delivery is made by a common or contract carrier the seller shall not charge in excess of the actual freight paid.

(c) If the seller was not in business during March 1942, he may elect to establish a free delivery zone or to make delivery charges, or both, and any such delivery charges shall not be in excess of such charges made by his principal competitors in his community for delivery during March 1942, and subject to the limitations of this section.

(d) All additional charges for delivery shall be itemized separately on any sales slips furnished the buyer and record thereof shall be kept as required by section 8 of this order.

SEC. 6. Discounts and allowances. Each seller, subject to this order, must maintain his customary terms, discounts, and allowances on sales to each class of purchaser which he had in effect during March 1942.

SEC. 7. Availability of order. Every seller making a sale covered by this order shall, if requested by the purchaser, make available to the purchaser for inspection a copy of this order. Copies for this purpose may be obtained from the office of the Regional Administrator or from the Denver District Office of the Price Administration.

SEC. 8. Sales slips and records. (a) Every seller covered by this order who has customarily given his customers a sales slip or other evidence of purchase must continue to do so. Upon request from a customer such seller, regardless of previous custom, shall give the purchaser a receipt showing the date, name and address of the seller and the purchaser, a description and the quantity of each item sold and the price received for it. If he customarily prepared his sales slips in more than one copy he must keep a duplicate copy of each sales slip delivered by him pursuant to this section. Such sales slips and records re-

quired to be kept by subsection (b) of this section shall be kept at the seller's principal place of business in the area and shall be made available for inspection by representatives of the Office of Price Administration for so long as the Emergency Price Control Act of 1942, as amended, remains in effect.

(b) Each seller making a sale of \$10.00 or more, regardless of previous custom, must keep and retain at his principal place of business in the area covered by this order, records concerning each such sale covered by this order showing at least the following:

1. Name and address of buyer.
2. Date of transaction.
3. Place of delivery.
4. Complete description and quantity of each item sold and the price charged.
5. Any additional charges for delivery.

SEC. 9. Prohibitions against sales at higher than maximum prices. On and after the effective date of this order, regardless of any contract or other obligation, no person shall sell or offer to sell building or construction materials covered by this order at prices higher than the maximum prices established by this order.

SEC. 10. Evasions. (a) Any practice, scheme or device which results in a higher price to the purchaser of the specified commodities covered by this order than is permitted by this order shall be deemed to be a violation of this order and shall subject the seller to all the civil liabilities and the criminal penalties provided by the Emergency Price Control Act of 1942, as amended and extended.

(b) No seller shall as a part of the consideration or as a condition of a sale of the specified commodities covered by this order, secretly or otherwise receive, either directly or indirectly, any side payment, commission, fee, consideration or other thing of value whatsoever nor shall the seller, either directly or indirectly acquire or receive in addition to the maximum prices established by this order the benefit of any services, transportation agreements or other valuable thing, material or property.

(c) No seller shall eliminate or reduce in any form or manner any discount or allowance customarily offered in connection with the sale of the specified commodities covered by this order nor shall the seller lower the quality thereof below that called for by the specifications or agreement with respect to the sale of the specified commodities covered by this order nor shall the seller in any manner make a delivery charge in excess of the amount provided in section 5 of the order.

(d) No seller shall by any of the foregoing plans, schemes or devices, or by any other plan, scheme or device receive or acquire or attempt to receive or acquire anything of value, service, valuable right, property or property right, money or other consideration whatsoever in addition to the maximum prices established in this order for the sale of the specified commodities covered by this order.

SEC. 11. Less than maximum prices. Prices lower than the maximum prices

for sales covered by this order may, of course, be charged and paid.

SEC. 12. Licensing. The provisions of Licensing Order No. 1, licensing all persons who make sales under price control, are applicable to all sellers subject to this order. A seller's license may be suspended for violation of the license or of one or more applicable price schedules or regulations. A person whose license is suspended may not, during the period of suspension, make any sale for which his license has been suspended.

SEC. 13. Revocation or amendment. This order may be revoked, modified or amended at any time by the Price Administrator or by the Regional Administrator.

This Order No. G-20 shall become effective May 6, 1946.

Issued this 24th day of April 1946.

ARTHUR S. BRODHEAD,
Regional Administrator.

[F. R. Doc. 46-12816; Filed, July 24, 1946;
11:56 a. m.]

[Region VII Order G-9 Under Gen. Order 68]
**BUILDING AND CONSTRUCTION MATERIALS IN
ALBANY COUNTY, WYO., AREA**

Order No. G-9 under General Order No. 68, maximum prices for retail sales of certain building and construction materials in the Albany County, Wyoming, Area. Docket No. 7-GO 68-9.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the provisions of General Order 68, it is hereby ordered.

SECTION 1. What this order does. This Order No. G-9 under General Order 68 covers all retail sales by any seller, located in the Albany County, Wyoming area, herein designated as Wyoming Building Materials Area No. 2, of the specified building and construction materials listed in the tables annexed to and incorporated herein.¹ The Albany County, Wyoming area for the purposes of this order includes all of Albany County, Wyoming excepting the town of Rock River.

SEC. 2. Definitions. For the purposes of this order:

(a) "Retail sale" means a sale to an ultimate user or to a purchaser for resale on an installed basis.

(b) "Delivered sale" means the sale of any quantity of the building and construction materials covered by this order, delivered to any point designated by the purchaser.

(c) "Yard sale" means the sale of any quantity of the building and construction materials covered by this order delivered to the purchaser at the seller's yard, store or warehouse.

(d) "Building and construction materials" means the masonry, gypsum, and metal lath, insulation and wall board, roofing and siding, and metal products materials, as set forth in the annexed price tables incorporated in this order.

SEC. 3. Relation to other regulations. The maximum prices established by this Order G-9 supersede any maximum prices or pricing method previously established by any other regulation or order covering the commodities listed in the tables annexed to and incorporated herein. Except to the extent that they are inconsistent with the provisions of this order, all other provisions of the General Maximum Price Regulation or other applicable regulation or order shall continue to apply to retail sales covered by this order.

SEC. 4. Authorized maximum prices. Upon and after the effective date of this Order No. G-9, the maximum prices for the retail sales of the specified building and construction materials covered by this order shall be the prices listed in the tables annexed to and incorporated herein.

SEC. 5. Delivery practices. (a) Sales under this order may be made as yard sales or delivered sales. If the buyer requests delivery within a free delivery zone which the seller recognized during March 1942, the seller shall not charge for making the delivery.

(b) If the buyer requests delivery outside the free delivery zone which the seller recognized during March 1942 or if no free delivery zone was recognized by the seller in March 1942, the seller may make delivery charges not in excess of those made by him in March 1942 but if delivery is made by a common or contract carrier the seller shall not charge in excess of the actual freight paid.

(c) If the seller was not in business during March 1942, he may elect to establish a free delivery zone or to make delivery charges, or both, and any such delivery charges shall not be in excess of such charges made by his principal competitors in his community for delivery during March 1942, and subject to the limitations of this section.

(d) All additional charges for delivery shall be itemized separately on any sales slips furnished the buyer and record thereof shall be kept as required by section 8 of this order.

SEC. 6. Discounts and allowances. Each seller, subject to this order, must maintain his customary terms, discounts, and allowances on sales to each class of purchaser which he had in effect during March 1942.

SEC. 7. Availability of order. Every seller making a sale covered by this order shall, if requested by the purchaser, make available to the purchaser for inspection a copy of this order. Copies for this purpose may be obtained from the office of the Regional Administrator or from the Cheyenne District Office of the Office of Price Administration.

SEC. 8. Sales slips and records. (a) Every seller covered by this order who has customarily given his customers a sales slip or other evidence of purchase must continue to do so. Upon request from a customer such seller, regardless of previous custom, shall give the purchaser a receipt showing the date, name and address of the seller and the purchaser, a description and the quantity of each item sold and the price received

for it. If he customarily prepared his sales slips in more than one copy he must keep a duplicate copy of each sales slip delivered by him pursuant to this section. Such sales slips and records required to be kept by subsection (b) of this section shall be kept at the seller's principal place of business in the area and shall be made available for inspection by representatives of the Office of Price Administration for so long as the Emergency Price Control Act of 1942, as amended, remains in effect.

(b) Each seller making a sale of \$10.00 or more, regardless of previous custom, must keep and retain at his principal place of business in the area covered by this order, records concerning each such sale covered by this order showing at least the following:

1. Name and address of buyer.
2. Date of transaction.
3. Place of delivery.
4. Complete description and quantity of each item sold and the price charged.
5. Any additional charges for delivery.

SEC. 9. Prohibitions against sales at higher than maximum prices. On and after the effective date of this order, regardless of any contract or other obligation, no person shall sell or offer to sell building or construction materials covered by this order at prices higher than the maximum prices established by this order.

SEC. 10. Evasions. (a) Any practice, scheme or device which results in a higher price to the purchaser of the specified commodities covered by this order than is permitted by this order shall be deemed to be a violation of this order and shall subject the seller to all the civil liabilities and the criminal penalties provided by the Emergency Price Control Act of 1942, as amended and extended.

(b) No seller shall as a part of the consideration or as a condition of a sale of the specified commodities covered by this order, secretly or otherwise receive, either directly or indirectly, any side payment, commission, fee, consideration or other thing of value whatsoever nor shall the seller, either directly or indirectly acquire or receive in addition to the maximum prices established by this order the benefit of any services, transportation agreements or other valuable thing, material or property.

(c) No seller shall eliminate or reduce in any form or manner any discount or allowance customarily offered in connection with the sale of the specified commodities covered by this order nor shall the seller lower the quality thereof below that called for by the specifications or agreement with respect to the sale of the specified commodities covered by this order nor shall the seller in any manner make a delivery charge in excess of the amount provided in section 5 of the order.

(d) No seller shall by any of the foregoing plans, schemes or devices, or by any other plan, scheme or device receive or acquire or attempt to receive or acquire anything of value, service, valuable right, property or property right, money or other consideration whatsoever in addition to the maximum prices established in this order for the sale of the specified commodities covered by this order.

¹ Filed as part of original document.

SEC. 11. *Less than maximum prices.* Prices lower than the maximum prices for sales covered by this order may, of course, be charged and paid.

SEC. 12. *Licensing.* The provisions of Licensing Order No. 1, licensing all persons who make sales under price control, are applicable to all sellers subject to this order. A seller's license may be suspended for violation of the license or of one or more applicable price schedules or regulations. A person whose license is suspended may not, during the period of suspension, make any sale for which his license has been suspended.

SEC. 13. *Revocation or amendment.* This order may be revoked, modified or amended at any time by the Price Administrator or by the Regional Administrator.

This Order No. G-9 shall become effective April 15, 1946.

Issued this 3d day of April 1946.

ARTHUR S. BRODHEAD,
Regional Administrator.

[F. R. Doc. 46-12622; Filed, July 24, 1946;
11:55 a. m.]

SECURITIES AND EXCHANGE COMMISSION.

[File No. 70-1338]

ILLINOIS POWER CO.

NOTICE REGARDING FILING

At a regular session of the Securities and Exchange Commission held at its office in the City of Philadelphia, Pa., on the 25th day of July, 1946.

Notice is hereby given that a declaration has been filed with this Commission pursuant to the Public Utility Holding Company Act of 1935 by Illinois Power Company ("Illinois"), a registered holding company.

Notice is further given that any interested party may, not later than August 8, 1946, at 5:30 p. m., e. d. s. t., request the Commission in writing that a hearing be held on such matter, stating the reasons for such request and the nature of his interest, or may request that he be notified if the Commission should order a hearing thereon. At any time thereafter, such declaration, as filed or as amended, may become effective as provided in Rule U-23 of the rules and regulations promulgated pursuant to said act, or the Commission may exempt such transaction as provided in Rules U-20 (a) and U-100 thereof. Any such request should be addressed: Secretary, Securities and Exchange Commission, 18th and Locust Streets, Philadelphia 3, Pennsylvania.

All interested persons are referred to said declaration which is on file in the office of the said Commission for a statement of the transactions therein proposed, which are summarized below:

Illinois proposes to transfer to Union Electric Power Company ("Union"), both companies being system companies of The North American Company holding company system, title to certain utility assets at Hamilton, Illinois, as follows: two frequency changers and

other equipment, a transformer substation, and approximately 20 miles of electric transmission line. Such utility assets were constructed by Illinois and are estimated to have a depreciated cost and book value to Illinois, as of December 31, 1947, in the amount of \$183,985.31.

The proposed transfer of such utility assets is a part of the consideration for a contract entered into by Illinois and Union which provides for the cancellation and termination of a power agreement, dated May 8, 1922, as supplemented, between Iowa-Illinois Power Company and Mississippi River Power Company, to which Illinois and Union became parties by a series of assignments.

The execution and performance of the aforementioned contract by both Illinois and Union have been approved by the Illinois Commerce Commission.

By the Commission.

[SEAL] ORVAL L. DUBOIS.
Secretary.

[F. R. Doc. 46-12855; Filed, July 29, 1946;
10:26 p. m.]

[File No. 52-19]

PORTLAND ELECTRIC POWER CO.

ORDER RELEASING JURISDICTION OVER SALE OF PORTLAND TRACTION CO.

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 26th day of July 1946.

The Commission, on January 14, 1946, having approved, pursuant to section 11 (f) of the Public Utility Holding Company Act of 1935, the second alternative amended plan filed by Thos. W. Delzell and R. L. Clark, Independent Trustee of Portland Electric Power Company, a registered holding company and a debtor now in reorganization under Chapter X of the Bankruptcy Act as amended in the District Court of the United States for the District of Oregon for the reorganization of said Portland Electric Power Company; and

The Commission having by said order reserved jurisdiction over the sale of the stocks of Portland General Electric Company or Portland Traction Company; and the Independent Trustees having on July 24, 1946 filed a request for the release of jurisdiction with respect to the sale of the stock of Portland Traction Company; and the Commission having considered the request and it appearing appropriate to the Commission that said jurisdiction should be released:

It is ordered, That the jurisdiction heretofore reserved in our order of January 14, 1946 with respect to the sale of the stock of Portland Traction Company be, and the same hereby is, released.

It is further ordered, That the jurisdiction heretofore reserved in our order of January 14, 1946 with respect to the sale of the stock of Portland General Electric Company be, and the same hereby is, continued.

By the Commission.

[SEAL] ORVAL L. DUBOIS.
Secretary.

[F. R. Doc. 46-12856; Filed, July 29, 1946;
10:26 a. m.]

[File Nos. 59-78, 54-113, 70-1015]

LOUISVILLE GAS AND ELECTRIC CO. (DEL.)
AND STANDARD GAS AND ELECTRIC CO.

ORDER RECONVENING PROCEEDINGS, NOTICE OF FILING OF AMENDED PLAN AND ORDER FOR HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 25th day of July 1946.

In the matter of Louisville Gas and Electric Company (Delaware), Respondent, File No. 59-78; Louisville Gas and Electric Company (Delaware), File No. 54-113; Standard Gas and Electric Company, File No. 70-1015.

I. The Commission on February 5, 1945 having entered an order instituting these proceedings under section 11 (b) (2) of the Public Utility Holding Company Act of 1935 with respect to Louisville Gas and Electric Company (Delaware) (hereinafter referred to as the "Delaware Company"), a registered holding company, to determine what steps, if any, are necessary and should be required to be taken by the Delaware Company and each subsidiary company thereof in order to comply with said provisions of the act; the Delaware Company having on November 6, 1944 filed a plan pursuant to section 11 (e) of the act and Standard Gas and Electric Company (hereinafter referred to as "Standard Gas"), also a registered holding company, parent of the Delaware Company, having filed a declaration and application pursuant to sections 10 and 12 (f) of the act in connection with such plan; and such proceedings under section 11 (b) (2) of the act and the plan filed by the Delaware Company and the declaration and application filed by Standard Gas having been consolidated; hearings having been held on the issues presented in said consolidated proceedings, evidence having been presented by the parties and the hearings having been adjourned subject to the call of the trial examiner;

It now appearing appropriate to the Commission that said proceedings be reconvened for the purpose of permitting the introduction of any other relevant evidence, for the purpose of bringing up to date such documentary evidence previously introduced to whatever extent may be necessary for a prompt disposition of this matter, and for the purpose of permitting the parties to be heard with respect to whether an order should not be promptly issued pursuant to section 11 (b) (2) as more fully hereinafter ordered;

II. It appearing also that the Delaware Company has filed an Amended Plan pursuant to section 11 (e) of the act, dated May 14, 1946 (hereinafter referred to as the "Amended Plan"), which Amended Plan states that it supersedes the previous plan filed November 6, 1944, and which provides, in substance, as follows:

The Delaware Company will distribute to its stockholders the 883,161 shares of common stock of the Louisville Gas and Electric Company (Kentucky) (hereinafter referred to as the "Kentucky Company"), a subsidiary of the Delaware Company, together with other net assets

consisting of approximately \$974,000 in the following proportions:

For each share of Class A common stock of the Delaware Company (of which 600,374 shares are outstanding): 1 share of common stock of the Kentucky Company plus 50 cents in cash.

For each share of Class B common stock of the Delaware Company owned by persons other than Standard Gas (aggregating 18,361 shares): 1 share of common stock of the Kentucky Company plus 50 cents in cash.

For each share of Class B common stock of the Delaware Company owned by Standard Gas (aggregating 282,588 shares): 0.93573 share of common stock of the Kentucky Company, plus approximately \$2.09 in cash (subject to possible reduction).

It is represented that the exact amount of cash to be distributed to Standard Gas on account of its holdings of Class B common stock will be dependent upon the amount of cash remaining in the treasury of the Delaware Company after payment of 50 cents per share cash distribution to other stockholders, and after the payment of all expenses and liabilities. It is stated that if a certain contingent tax liability of the Delaware Company is required to be paid, the amount of such cash distribution per share to Standard Gas may be reduced to approximately \$1.92.

It is proposed that the Delaware Company will pay such fees and reimburse such expenses as may be incurred in connection with the plan and as are approved by the Commission. The amount of such fees is not stated.

Upon the conclusion of the foregoing distribution, it is contemplated that the Delaware Company will be dissolved.

III. The Commission being required by the provisions of section 11 (e) of the act before approving any plan submitted thereunder to find after notice and opportunity for hearing that such Amended Plan as submitted or as modified is necessary to effectuate the provisions of subsection (b) of section 11 and is fair and equitable to the persons affected by such Amended Plan:

It is ordered, That:

1. The hearings in the proceedings pursuant to section 11 (b) (2) and the other proceedings consolidated therewith are hereby reconvened for consideration at such reconvened hearing of what action should be required to be taken by the respondents pursuant to section 11 (b) (2) of the act, and for consideration of the aforesaid plan under section 11 (e) thereof. Such hearing shall be held at 10 a. m., e. d. t., on the 21st day of August, 1946, in the offices of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia, Pennsylvania, in such room as will be designated on that day by the hearing room clerk in Room 318. Persons desiring to be heard should notify the Secretary of the Commission in accordance with Rule XVII of the Commission in accordance with Rule XVII of the Commission's rules of practice not later than two days prior to the date of said hearing.

2. At the outset of said hearing the Louisville Gas and Electric Company (Delaware), respondent in this proceeding, shall show cause why an order

should not be promptly entered under section 11 (b) (2) of the act finding that its continued existence in the holding company system of which it is a part unduly and unnecessarily complicates the structure of such holding company system, and directing that it be liquidated and dissolved and its corporate existence terminated.

3. Following the consideration of what order should be promptly entered pursuant to section 11 (b) (2), there will be considered at said hearing the issue of whether the said Amended Plan complies with the standards of section 11 (e), and in connection with said Amended Plan particular attention will be directed to the following matters and questions:

(a) Whether the Amended Plan as submitted or as it may be modified is necessary to effectuate the provisions of section 11 (b) of the act, and is fair and equitable to the persons affected thereby;

(b) Whether the proposed allocation of common stock and cash of the Kentucky Company, as between the public holders of the Class A and Class B common stock of the Delaware Company and as between such public holders and Standard Gas, which holds Class B common stock of the Delaware Company, is fair and equitable, or whether such allocation should be modified;

(c) Whether the transactions proposed in said Amended Plan comply with all the requirements and applicable provisions of the act and rules and regulations promulgated thereunder;

(d) Whether and to what extent the Amended Plan should be modified or terms and conditions imposed to ensure adequate protection of the public interest and the interests of investors and consumers and compliance with all applicable provisions of the act; and

(e) Whether the fees and expenses proposed to be paid in connection with said Amended Plan and all transactions incidental thereto are for necessary services and are reasonable in amount.

It is further ordered, That at said hearing the evidence previously taken in these proceedings may be considered in connection with the matters to be heard pursuant to this order, subject to the right of any interested persons, for due cause, to request further cross-examination of witnesses previously called herein, and subject to the right of interested persons to introduce such further evidence as may be material and relevant to the issues herein.

It is further ordered, That Willis E. Monty or any other officer or officers of the Commission designated by it for that purpose shall preside at the hearing in such matters. The officer so designated to preside at any such hearing is hereby authorized to exercise all the powers granted to the Commission under section 18 (c) of said act and to a trial examiner under the Commission's rules of practice.

It is further ordered, That notice of this hearing shall be given to Louisville Gas and Electric Company (Delaware), Louisville Gas and Electric Company (Kentucky), Standard Gas and Electric Company, the Public Service Commission of Kentucky and the Mayor of Louisville,

Kentucky, by registered mail, and to all other persons by publication in the *FEDERAL REGISTER* and by general release of this Commission which shall be distributed to the press and mailed to the mailing list for releases issued under the act; and

It is further ordered, That Louisville Gas and Electric Company (Delaware) shall give notice of this hearing to all of the holders of its capital stock (insofar as the identity of such holders is known or available to said Company) by mailing a copy of this order and notice to such holders at least 15 days prior to the date of said hearing.

By the Commission.

[SEAL]

ORVAL L. DUBois,
Secretary.

[F. R. Doc. 46-12857; Filed, July 29, 1946;
10:27 a. m.]

[File No. 70-435]

UNITED CORP.

NOTICE REGARDING FILING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 26th day of July 1946.

Notice is hereby given that an amendment to a declaration has been filed with this Commission pursuant to the Public Utility Holding Company Act of 1935 by The United Corporation (United), a registered holding company.

Notice is further given that any interested person may, not later than August 8, 1946, at 5:30 p. m., e. d. s. t., request the Commission in writing that a hearing be held on such matter, stating the reasons for such request and the nature of his interest, or may request that he be notified if the Commission should order a hearing thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission, 18th and Locust Streets, Philadelphia 3, Pennsylvania. At any time thereafter such declaration, as filed or as amended, may become effective.

All interested persons are referred to said amended declaration, which is on file in the offices of this Commission, for a statement of the transactions therein proposed which are summarized below:

United proposes to expend an aggregate of \$5,000,000 from time to time, over a period of six months from the date of the Commission's order herein, to purchase shares of its outstanding \$3 Cumulative Preference Stock. Shares thus acquired will be cancelled and retired. All purchases will be effected on the New York Stock Exchange or the Philadelphia Stock Exchange at current market prices, provided such current market prices do not exceed \$50 per share and are not less than \$47.50 per share. At least seven days prior to the initial purchases under this proposal United proposes to mail to each preference stockholder of record a notice advising such holder of the company's intention to make such purchases in accordance with this Commission's order.

United represents that it will not solicit or cause to be solicited the sale to it of

any shares of the preference stock either on or off such exchanges, and that no fees or commissions are to be paid in connection with such purchases except the usual brokerage fees. United further represents that it will furnish to the Commission weekly reports indicating the number of shares of preference stock purchased on each day during the week, the prices at which such shares were purchased and the name of the broker through whom such shares were purchased, and that it will make public at the end of each three months' period during which purchases are made information showing the total number of shares of preference stock purchased and the aggregate purchase price.

United has presently outstanding 1,214,699 shares of \$3 Cumulative Preference Stock. On July 24, 1946 the Board of Directors of the company declared a dividend of \$7.50 per share on such stock payable August 14, 1946 to the holders of record as of August 5, 1946 (Holding Company Act Release No. 6787). Upon payment of this amount, all dividend arrears will be eliminated. The company has indicated that it proposes to apply to this Commission for permission to pay as of October 1, 1946, the quarterly dividend of 75¢ per share which will then be due on the preference stock.

United states that the purchase by it of shares of its preference stock as proposed will be advantageous to the corporation and its stockholders, since such purchases are in further compliance with the Commission's Order of August 14, 1943, requiring United, among other things, to eliminate its preference stock and since such purchases will afford an opportunity for the immediate and profitable employment of surplus cash funds not presently required for other corporate purposes.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 46-12858; Filed, July 29, 1946;
10:27 a.m.]

[File No. 70-1285]

YORK COUNTY GAS CO. AND PENNSLYVANIA
GAS & ELECTRIC CORP.

SUPPLEMENTAL ORDER RELEASING JURISDICTION
AND GRANTING APPLICATION-DECLARATION TO BECOME EFFECTIVE

At a regular session of the Securities and Exchange Commission held at its office in the City of Philadelphia, Pa., on the 25th day of July A. D. 1946.

York County Gas Company ("York"), a public utility company, and its parent, Pennsylvania Gas & Electric Corporation ("Penn Corp"), a registered holding company, having filed an application-declaration and amendments thereto pursuant to sections 6 (b), 9, 10 and 12 of the Public Utility Holding Company Act of 1935 with respect to (1) the issue and sale at competitive bidding by York of \$1,600,000 principal amount of First Mortgage Bonds, --% series due 1976, (2) the issue and sale by York to the Commercial National Bank and Trust

Company of New York of \$300,000 principal amount of unsecured serial promissory notes bearing interest at the rate of 2% per annum and maturing semi-annually in equal principal amounts of \$37,500 beginning December 1, 1946, and (3) the sale by York and the purchase by Penn Corp of 6,660 shares of \$7 cumulative (second) preferred stock of North Penn Gas Company ("North Penn"), a subsidiary of Penn Corp, for \$85 per share, or an aggregate of \$566,100; and

The Commission having by order dated July 18, 1946, granted said application, as amended, and permitted said declaration, as amended, to become effective subject to the condition that the proposed issuance and sale of bonds by York should not be consummated until the results of competitive bidding pursuant to Rule U-50 shall have been made a matter of record in these proceedings and a further order shall have been entered in the light of the record so completed, and to the further condition that said issue and sale of the bonds and notes and the sale of the \$7 cumulative (second) preferred stock of North Penn should not be consummated until York shall have obtained from the Pennsylvania Public Utility Commission an amended order authorizing the issue and sale of \$1,600,000 of bonds and \$300,000 of notes and the sale by York to Penn Corp. of 6,660 shares of the \$7 cumulative (second) preferred stock of North Penn; and

York and North Penn having filed a further amendment to said application-declaration in which it is stated that in accordance with the said order of the Commission dated July 18, 1946, York offered such bonds for sale pursuant to the competitive bidding requirements of Rule U-50 and received the following bids:

Bidding group	Price to company	Coupon rate	Cost to company
A. C. Allyn & Co., Inc.		Percent	Percent
E. H. Rollins & Sons, Inc.	\$100.3113	3 1/4	3.233714
Stroud & Co., Inc.			
A. G. Blakey & Co.			
Halsey, Stuart & Co., Inc.	\$100.1579	3 3/8	3.366601
White, Weld & Co.			
Shields & Company	\$100.07	3 3/8	3.371274

The said amendment having further stated that York has accepted the bid of A. C. Allyn and Company, Incorporated for said First Mortgage Bonds as set out above and that such bonds will be offered for sale to the public at a price of 101.92% of the principal amount thereof, plus accrued interest, resulting in an underwriters' spread of 1.6087%; and the Pennsylvania Public Utility Commission having issued an amended order expressly authorizing the issue and sale of said bonds and notes and of the sale of the \$7 cumulative (second) preferred stock of North Penn;

The Commission having examined the record in the light of said amendment and finding no basis for imposing terms and conditions with respect to the price to be paid for said bonds, the redemption prices thereof, the interest rate thereon, and the underwriters' spread and its allocation with respect to the bonds:

It is ordered, That the jurisdiction heretofore reserved over the price to be

paid for the bonds, the redemption prices thereof, the interest rate thereon, the underwriters' spread and its allocation be and the same hereby is released and that said application-declaration, as further amended, be and the same hereby is granted and permitted to become effective forthwith subject, however, to the terms and conditions prescribed in Rule U-24 and to the reservation of jurisdiction over the fees and expenses to be incurred by Penn Corp. in connection with the purchase of the preferred stock of North Penn.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 46-12859; Filed, July 29, 1946;
10:27 a.m.]

WAR SHIPPING ADMINISTRATION.

"SS LOUISE"

DETERMINATION OF JUST COMPENSATION FOR USE

Requisition for Title; vessel "Louise," Official Number 222416. Notice of deposit of 75% of the amount determined as just compensation for the vessel with the Clerk of the United States District Court for the District of Maryland.

Notice is hereby given that pursuant to the Court Order of the United States District Court for the District of Maryland dated February 12, 1946 in Admiralty Nos. 2570, 2586 and 2588, the War Shipping Administration on July 26, 1946 deposited with the registry of the Court the sum of \$33,750, representing 75% of the amount of just compensation determined for the title and possession of the vessel "SS Louise," Official No. 222416, which vessel formerly belonged to Michael N. Cavalliotis of 154 Nassau Street, New York, New York, said vessel having been requisitioned for title and possession by the United States of America, represented by the War Shipping Administration, on October 17, 1942.

The attention is invited of anyone having claims against this vessel which existed at the time it was requisitioned by the United States.

By order of the War Shipping Administrator.

[SEAL] A. J. WILLIAMS,
Secretary.

JULY 26, 1946.

[F. R. Doc. 46-12940; Filed, July 29, 1946;
11:18 a. m.]

"SAMUEL MITCHELL"

DETERMINATION OF VESSEL OWNERSHIP

Notice of determination by War Shipping Administration pursuant to section 3 (b) of the act approved March 24, 1943 (Public Law 17—78th Congress).

Whereas on July 15, 1942 title to the vessel "Samuel Mitchell" (116495) (including all spare parts, appurtenances and equipment) was requisitioned pursuant to section 902 of the Merchant Marine Act, 1936, as amended, and

Whereas section 3 (b) of the act approved March 24, 1943 (Public Law 17, 78th Congress), provides in part as follows:

(b) The Administrator, War Shipping Administration, may determine at any time prior to the payment in full or deposit in full with the Treasurer of the United States, or the payment or deposit of 75 per centum, or just compensation therefor, that the ownership of any vessel (the title to which has been requisitioned pursuant to section 902 of the Merchant Marine Act, 1936, as amended, or the act of June 6, 1941 (Pub. Law 101, 77th Congress), is not required by the United States and after such determination has been made and notice thereof has been published in the *FEDERAL REGISTER*, the use rather than the title to such vessel shall be deemed to have been requisitioned for all purposes as of the date of the original taking; *Provided however*, That no such determination shall be made with respect to any vessel after the date of delivery of such vessel pursuant to title requisition except with the consent of the owner, * * *;

and

Whereas no portion of just compensation for the said vessel has been paid or deposited with the Treasurer of the United States; and

Whereas the ownership of the said vessel, spare parts, appurtenances and equipment is not required by the United States; and

Whereas the former owner of the vessel has consented to this determination and to the return of the vessel and the conversion of the requisition of title therein to a requisition of use thereof in accordance with the above-quoted provision of law;

Now, therefore, I, Granville Conway, Administrator, War Shipping Administration, acting pursuant to the above-quoted provisions of law, do hereby determine that the ownership of said vessel, spare parts, appurtenances and equipment is not required by the United States, and that, from and after the date of publication hereof in the *FEDERAL REGISTER*, the use rather than title thereto shall be deemed to have been requisitioned, for all purposes, as of the date of the original taking.

Dated: July 26, 1946.

GRANVILLE CONWAY,
Administrator.

[F. R. Doc. 46-12941; Filed, July 29, 1946;
11:18 a. m.]

OFFICE OF ALIEN PROPERTY CUSTODIAN.

[Vesting Order 6680]

ANNA HANSEN ET AL.

In re: Interests in stock and bank accounts owned by 42 heirs in the Estate of Anna Hansen, deceased.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That each individual, whose name, last known address and proportionate interest is set forth in Exhibit A, attached

hereto and by reference made a part hereof, is a resident of Germany and a national of a designated enemy country (Germany);

2. That the property described as follows:

a. One hundred and thirty-six shares of capital stock of the Charles E. Hansen Estate Company, evidenced by Certificate Number 215, dated November 2, 1939, registered in the name of "Karl Feddersen as Executor of the Last Will and Testament of Anna Hansen, deceased, in the German Reich for distribution to the German legatees, pursuant to the provisions of Paragraph I of said Last Will and Testament", together with all declared and unpaid dividends thereon, and any and all rights derived thereunder,

b. Eighty-seven shares of \$10 par value preferred stock of Acme Brewing Company, 2080 East 49th Street, Los Angeles, California, a corporation organized under the laws of the State of California, evidenced by Certificate Number P913, dated November 4, 1939, registered in the name of "Karl Feddersen, Executor, in the German Reich for the Estate of Anna Hansen, deceased", together with all declared and unpaid dividends thereon,

c. That certain debt or other obligation of Bank of America National Trust & Savings Association, 1 Powell Street, San Francisco, California, arising out of a savings account, Account Number 629, entitled California Holding Company, as Trustee for Karl Feddersen, maintained at the branch office of the aforesaid bank located at McAllister and Fillmore Streets, San Francisco, California, and any and all rights to demand, enforce and collect the same, and

d. That certain debt or other obligation of Bank of America National Trust & Savings Association, 1 Powell Street, San Francisco, California, arising out of a savings account, Account Number 276, entitled Acme Brewing Co., Trustee for Karl Feddersen, Executor, Anna Hansen, maintained at the branch office of the aforesaid bank located at McAllister and Fillmore Streets, San Francisco, California, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid nationals of a designated enemy country;

And determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the inter-

est and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to constitute an admission by the Alien Property Custodian of the lawfulness of, or acquiescence in, or licensing of, any set-offs, charges or deductions, nor shall it be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on June 20, 1946.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

EXHIBIT A

Name	Proportionate interest
5 Children of the Predeceased Brother, Johann Witt, whose last known address is Nordschleswig or Ditmarschen, Germany:	
Peter Witt	1/105
Emmy Witt	1/105
Heinrich Witt	1/105
Richard Witt	1/105
Otto Witt	1/105

The Wife and 4 Children of the Predeceased Brother, Claudio Witt, whose last known address is Meldorf, Germany:

Emma Witt	1/105
Anna Andreassen	1/105
Ise Harder	1/105
Max Witt	1/105
Werner Witt	1/105

The Wife and 11 Children of the Predeceased Brother, Peter Witt, whose last known address is Luebeck, Germany:

Lisbeth Witt	1/252
Hans Witt	1/252
Auguste Witt	1/252
Lisbeth Meyer	1/252
Helene Witt	1/252
Hermann Witt	1/252
Anne-Marie Boeckmann	1/252
Karl Witt	1/252
Hanna Witt	1/252
Grete Frahm	1/252
Peter Witt	1/252
Heinrich Witt	1/252

2 Children of the Predeceased Brother, Otto Witt, whose last known address is Brundbuettelkoog, Germany:

Johanna Witt	1/42
Kaethe Hillebrecht	1/42

EXHIBIT A—Continued

Name	Proportionate interest
The Brother, Heinrich Witt, his Wife and his 5 Children, whose last known address is Meldorf, Germany:	
Heinrich Witt	1/147
Grete Witt	1/147
Peter Witt	1/147
Dora Hinselman	1/147
Hilda Denker	1/147
Hans Witt	1/147
Annagrethe Heesch	1/147
4 Children of the Predeceased Sister, Helene Harder, formerly of Kiel, Germany:	
Minna Hager	1/84
Else Feddersen	1/84
Richard Harder	1/84
Dora Schlicht	1/84
The Sister, Guste v. Drathen, and her 6 Children, whose last known address is Meldorf, Germany:	
Guste v. Drathen	1/147
Kaethe Thode	1/147
Helene v. Drathen	1/147
Marie v. Drathen	1/147
Franz v. Drathen	1/147
Grethe v. Drathen	1/147
Erna v. Drathen	1/147

[F. R. Doc. 46-12624; Filed, July 26, 1946; 10:12 a. m.]

[Vesting Order 6871]

ILLIAN WILHELMINE GLEUE

In re: Estate of Lillian Wilhelmine Gleue, deceased. File No. 017-16960.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

That the property described as follows: Cash in the amount of \$66.64 is property in the possession of the Alien Property Custodian;

That such property was held by Carl F. Bollmann, Executor of the Estate of Lillian Wilhelmine Gleue and is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Karl Willmann, Germany.
Frieda Klein, Germany.
Elise Willmann Schifferdecker, Germany.
Wilhelmine Willmann Klein, Germany.

And determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on July 1, 1946.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 46-12625; Filed, July 26, 1946; 10:12 a. m.]

[Vesting Order 6872]

RAYMOND GOEB

In re: Estate of Raymond Goeb, deceased. File D-28-10331; E. T. sec. 14712.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

That the property described as follows: All right, title, interest and claim of any kind or character whatsoever of Barbara Hornung and Personal representative, heirs, next of kin, legatees and distributees, names unknown, of Barbara Hornung, and each of them in and to the Estate of Raymond Goeb, deceased,

is property payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Barbara Hornung, Germany.
Personal representative, heirs, next of kin, legatees and distributees, names unknown, of Barbara Hornung, Germany.

That such property is in the process of administration by Jessie L. Chisler, as Executrix, acting under the judicial supervision of the Orphans' Court of Allegheny County, Pennsylvania;

And determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and

certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form AFC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on July 1, 1946.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 46-12626; Filed, July 26, 1946; 10:12 a. m.]

[Vesting Order 6873]

KARL HENNERMANN

In re: Estate of Karl Hennermann, deceased. File No. D-28-10367; E. T. sec. 14757.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

That the property described as follows: All right, title, interest and claim of any kind or character whatsoever of Berta Tilsinger and her issue, names unknown, and each of them in and to the estate of Karl Hennermann, deceased, is property payable or deliverable to, or claimed by nationals of a designated enemy country, Germany, namely,

National and Last Known Address

Berta Tilsinger and her issue, names unknown, Germany.

That such property is in the process of administration by Karl W. R. Bauer, as executor of the estate of Karl Hennermann, deceased, acting under the judicial supervision of the Surrogate's Court, Bronx County, State of New York.

And determining that to the extent that such nationals are persons not with-

in a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on July 1, 1946.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 46-12627; Filed, July 26, 1946;
10:12 a. m.]

[Vesting Order 6877]

ERNEST ALBERT LINDENAU

In re: Estate of Ernest Albert Lindenau, deceased. File No. D-28-10031; E. T. sec. 14229.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

That the property described as follows: All right, title, interest and claim of any kind or character whatsoever of Otto Lindenau and Wanda Schmidt, and each of them, in and to the Estate of Ernest Albert Lindenau, deceased, is property payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Otto Lindenau, Germany.
Wanda Schmidt, Germany.

That such property is in the process of administration by Otto Schroeder, acting under the judicial supervision of the Probate Court for the Territory of Alaska, Third Division, Anchorage Precinct, Anchorage, Alaska;

And determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on July 1, 1946.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 46-12628; Filed, July 26, 1946;
10:12 a. m.]

[Vesting Order 6882]

FRANK MINI

In re: Estate of Frank Mini, deceased. File D-38-3002; E. T. sec. 9029.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

That the property described as follows: All right, title, interest and claim of any kind or character whatsoever of Pete Mini and Theodora Mini Lenzi, and each of them, in and to the Estate of Frank Mini, deceased,

is property payable or deliverable to, or claimed by, nationals of a designated enemy country, Italy, namely,

National and Last Known Address

Pete Mini, Italy.
Theodora Mini Lenzi, Italy.

That such property is in the process of administration by Domenica Barnabel, as Administratrix, acting under the judicial supervision of the District Court of the Fourteenth Judicial District, in and for the County of Musselshell, Montana;

And determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Italy);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on July 1, 1946.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 46-12629; Filed, July 26, 1946;
10:12 a. m.]

[Vesting Order 6886]

TOM N. SUZUKI

In re: Estate of Tom N. Suzuki, deceased. File D-39-18481; E. T. sec. 14615.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

That the property described as follows: All right, title, interest and claim of any kind or character whatsoever of Kinzo Suzuki, in and to the Estate of Tom N. Suzuki, deceased,

is property payable or deliverable to, or claimed by, a national of a designated enemy country, Japan, namely,

National and Last Known Address

Kinzo Suzuki, Japan.

That such property is in the process of administration by W. L. Bustard, as Administrator of the Estate of Tom N. Suzuki, acting under the judicial supervision of the District Court of the State of Wyoming, for the Seventh Judicial District, County of Natrona;

And determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Japan);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on July 1, 1946.

[SEAL] **JAMES E. MARKHAM,**
Alien Property Custodian.

[F. R. Doc. 46-12630; Filed, July 28, 1946;
10:13 a. m.]

[Vesting Order 6915]

FRIEDRICH VON BODELSCHWINCH

In re: Bank account owned by
Friedrich Von Bodelschwingh. F-28-
12508-E-1.

No. 147—8

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That Friedrich Von Bodelschwingh, whose last known address is Bethel, Germany, is a resident of Germany and a national of a designated enemy country (Germany);

2. That the property described as follows: That certain debt or other obligation owing to Friedrich Von Bodelschwingh, by Union Bank & Trust Co. of Los Angeles, 760 South Hill Street, Los Angeles, California, arising out of a term savings account, Account Number 86964, entitled Friedrich Von Bodelschwingh, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country;

And determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to constitute an admission by the Alien Property Custodian of the lawfulness of, or acquiescence in, or licensing of, any set-offs, charges or deductions, nor shall it be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on July 2, 1946.

[SEAL] **JAMES E. MARKHAM,**
Alien Property Custodian.

[F. R. Doc. 46-12631; Filed, July 26, 1946;
10:13 a. m.]

[Vesting Order 6916]

WILHELM WAGNER

In re: Bank account owned by Wilhelm Wagner. F-28-11997-E-1.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That Wilhelm Wagner, whose last known address is Scheidt over Diez Lahn, Germany, is a resident of Germany and a national of a designated enemy country (Germany);

2. That the property described as follows: That certain debt or other obligation owing to Wilhelm Wagner, by The First National Bank of Chicago, Chicago, Illinois, arising out of a savings account, Account Number 1,349,342, entitled Wilhelm Wagner, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country;

And determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to constitute an admission by the Alien Property Custodian of the lawfulness of, or acquiescence in, or licensing of, any set-offs, charges or deductions, nor shall it be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of

claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on July 2, 1946.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 46-12632; Filed, July 26, 1946;
10:13 a. m.]

[Vesting Order 6918]

DEUTSCHE WERFT A. G.

In re: Bank account owned by Deutsche Werft A. G. F-28-7726-E-1.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That Deutsche Werft A. G., the last known address of which is Hamburg 1, Germany, is a corporation, organized under the laws of Germany, and which has or, since the effective date of Executive Order No. 8389, as amended, has had its principal place of business in Germany and is a national of a designated enemy country (Germany);

2. That the property described as follows: That certain debt or other obligation owing to Deutsche Werft A. G., by The New York Trust Company, 100 Broadway, New York, New York, arising out of a Checking Account, entitled Deutsche Werft A. G., and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country;

And determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to constitute an admission by the Alien Property Custodian of the lawfulness of, or acquiescence in, or licensing of, any set-offs, charges or de-

ductions, nor shall it be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on July 2, 1946.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 46-12633; Filed, July 26, 1946;
10:13 a. m.]

[Vesting Order 6920]

OLGA WILDEMANN

In re: Bank account owned by Olga Wildemann. F-28-23930-E-1.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That Olga Wildemann, whose last known address is Posen, Germany, is a resident of Germany and a national of a designated enemy country (Germany);

2. That the property described as follows: That certain debt or other obligation owing to Olga Wildemann, by The First National Bank of Chicago, Chicago, Illinois, arising out of a savings account, Account Number 1,362,202, entitled Olga Wildemann, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country;

And determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest

and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to constitute an admission by the Alien Property Custodian of the lawfulness of, or acquiescence in, or licensing of, any set-offs, charges or deductions, nor shall it be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on July 2, 1946.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 46-12634; Filed, July 26, 1946;
10:13 a. m.]

[Vesting Order 6921]

IDA WILFLING

In re: Bank account owned by Ida Wilfling. F-28-6190-E-1.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That Ida Wilfling, whose last known address is Gera, Germany, is a resident of Germany and a national of a designated enemy country (Germany);

2. That the property described as follows: That certain debt or other obligation owing to Ida Wilfling by Saving Fund Society of Germantown and Its Vicinity, 5458 Germantown Avenue, Philadelphia 44, Pennsylvania, arising out of a savings account, Account Number 170885, entitled Ida Wilfling, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country;

And determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to constitute an admission by the Alien Property Custodian of the lawfulness of, or acquiescence in, or licensing of, any set-offs, charges or deductions, nor shall it be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on July 2, 1946.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 46-12635; Filed, July 26, 1946;
10:13 a. m.]

[Vesting Order 6922]

ELISABETH WINDERL

In re: Bank account owned by Elisabeth Winderl. F-28-12754-E-1.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned after investigation, finding:

1. That Elisabeth Winderl, whose last known address is Teannesberg, House No. 85, Germany, is a resident of Germany and a national of a designated enemy country (Germany);

2. That the property described as follows: That certain debt or other obligation owing to Elisabeth Winderl, by The First National Bank of Chicago, Clark, Monroe and Dearborn Streets, Chicago, Illinois, arising out of a savings account, Account Number 1,354,036, entitled Elisabeth Winderl, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country;

And determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to constitute an admission by the Alien Property Custodian of the lawfulness of, or acquiescence in, or licensing of, any set-offs, charges or deductions, nor shall it be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on July 2, 1946.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 46-12636; Filed, July 26, 1946;
10:13 a. m.]

[Vesting Order 6923]

WALTER WOERNER

In re: Bank account owned by Walter Woerner. F-28-722-E-1.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That Walter Woerner, whose last known address is % Mrs. M. Beck, 31 Lutherstrasse-Rentlinger, Betzingen-

Wurtemburg, Germany, is a resident of Germany and a national of a designated enemy country (Germany);

2. That the property described as follows: That certain debt or other obligation of East River Savings Bank, New York, New York, arising out of a savings account, Account Number 317003, entitled Mathilda Woerner as General Guardian of Walter Woerner, maintained at the branch office of the aforesaid bank located at 291 Broadway, New York, New York, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, Walter Woerner, the aforesaid national of a designated enemy country;

And determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to constitute an admission by the Alien Property Custodian of the lawfulness of, or acquiescence in, or licensing of, any set-offs, charges or deductions, nor shall it be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on July 2, 1946.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 46-12637; Filed, July 26, 1946;
10:14 a. m.]

FEDERAL REGISTER, Tuesday, July 30, 1946

[Vesting Order 6924]

ANNA WOLFEL

In re: Bank account owned by Anna Wolfel. F-28-3965-C-1; F-28-3965-E-1.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That Anna Wolfel, whose last known address is Germany, is a resident of Germany and a national of a designated enemy country (Germany);

2. That the property described as follows: That certain debt or other obligation of Bank of America National Trust and Savings Association, 1 Powell Street, San Francisco, California, arising out of a savings account, Account Number 5282, entitled I. F. Chapman and/or Tom Chapman Trustees for Anna Wolfel, maintained at the branch office of the aforesaid bank located at Market and New Montgomery Streets, San Francisco, California, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, Anna Wolfel, the aforesaid national of a designated enemy country;

And determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to constitute an admission by the Alien Property Custodian of the lawfulness of or acquiescence in, or licensing of, any set-offs, charges or deductions, nor shall it be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on July 2, 1946.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 46-12638; Filed, July 26, 1946;
10:14 a. m.]

[Vesting Order 6925]

EDWARD WOLFF

In re: Bank account owned by Edward Wolff. F-28-23901-E-1.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That Edward Wolff, whose last known address is Stargard, Germany, is a resident of Germany and a national of a designated enemy country (Germany);

2. That the property described as follows: That certain debt or other obligation owing to Edward Wolff, by The First National Bank of Chicago, Chicago, Illinois, arising out of a savings account, Account Number 1,362,206, entitled Edward Wolff, and any and all rights to demand, enforce and collect the same, is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country;

And determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to constitute an admission by the Alien Property Custodian of the lawfulness of, or acquiescence in, or licensing of, any set-offs, charges or deductions, nor shall it be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on July 2, 1946.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 46-12639; Filed, July 26, 1946;
10:14 a. m.]

[Vesting Order CE 315]

COSTS AND EXPENSES INCURRED IN CERTAIN ACTIONS OR PROCEEDINGS IN CERTAIN NEW JERSEY COURTS

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the Alien Property Custodian:

Having found that each of the persons named in Column 1 of Exhibit A, attached hereto and by reference made a part hereof, was a person within the designated enemy country or enemy-occupied territory appearing opposite such person's respective name in Column 2 of said Exhibit A;

Having determined that it was in the interest of the United States to take measures in connection with representing each of said persons in the court or administrative action or proceeding identified in Column 3 of said Exhibit A, and having taken such measures;

Finding that as a result of such action or proceeding each of said persons obtained or was determined to have an interest in property, which interest is particularly described in Column 4 of said Exhibit A;

Finding that such property is in the possession, custody or control of the person described in Column 5 of said Exhibit A; and

Finding that the Alien Property Custodian has incurred, in each of such court or administrative actions or proceedings, costs and expenses in the amount stated in Column 6 of said Exhibit A,

hereby vests in the Alien Property Custodian, to be used or otherwise dealt with in the interest, and for the benefit, of the United States, from the property in the possession, custody, or control of the persons described in said Column 5 of said Exhibit A, the sums stated in said Column 6 of said Exhibit A, such sums being the amounts of such property equal to the costs and expenses incurred by the Alien Property Custodian in such actions or proceedings.

This order shall not be deemed to limit the powers of the Alien Property Custodian to return such property if and when it should be determined that such return should be made.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order

may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall

have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on July 22, 1946.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

EXHIBIT A

Column 1 Name	Column 2 Country or territory	Column 3 Action or proceeding	Column 4 Interest	Column 5 Depositary	Column 6 Sum vested
<i>Item 1</i>					
Auguste Dauger or his respective next of kin, issue, legatees and personal representatives.	France	The Chase National Bank of the City of New York vs. Ernest Franck, et al., Court of Chancery of New Jersey, State House Annex, Trenton, N. J.; Docket No. 149/245.	\$34,344.28	I. Grant Scott, Clerk of the Court of Chancery of New Jersey, State House Annex, Trenton, N. J.	\$112.00
Eugene Dauger or his respective next of kin, issue, legatees and personal representatives.	France	Same	11,448.10	Same	38.00
<i>Item 2</i>					
Joseph Dauger or his respective next of kin, issue, legatees and personal representatives.	France	Same	11,448.10	Same	38.00
Marie Philomene Gusching or her respective next of kin, issue, legatees and personal representatives.	France	Same	11,448.10	Same	38.00
Fernand Dauger or his respective next of kin, issue, legatees and personal representatives.	France	Same	34,344.28	Same	112.00
Marie Schneider or her respective next of kin, issue, legatees and personal representatives.	France	Same	8,586.10	Same	27.00
Luisa Albenesius or her respective next of kin, issue, legatees and personal representatives.	France	Same	8,586.10	Same	27.00
Eugenie Fricker or her respective next of kin, issue, legatees and personal representatives.	France	Same	8,586.10	Same	27.00
S. Keyser Thorne	France	Therese Thorne McLane vs. S. Keyser Thorne et al., Court of Chancery of New Jersey, Trenton, N. J.; Docket No. 149/519.	(1)	Clyde C. Jefferson, Substituted Trustee, 91 Main St., Flemington, N. J.	173.00
Norman Derr Perrot	France	Henry G. Parker vs. Norman Derr Perrot, et al., Chancery Court of New Jersey, Trenton, N. J.; Docket No. 149/507.	(2)	Merchants and Newark Trust Co., 763 Broad St., Newark N. J., Substituted Trustee.	216.00
<i>Item 10</i>					
Giovanni Iurato	Italy	Estate of Blagia Iurato, deceased, Bergen County Surrogate's Court, Bergen County Court House, Hackensack, N. J.	212.85	Anthony D. Iurato, 177 Hudson St., Hackensack, N. J., Executor.	30.00
Angelina Iurato Ramonteta	Italy	Same	212.85	Same	30.00
<i>Item 12</i>					
Luigi Pisano	Italy	Estate of Weymer Jay Mills, deceased, New Jersey Prerogative Court, Trenton, N. J.	(1)	Citizens National Bank and Trust Co. of Englewood, Englewood, N. J., Substituted Trustee.	141.00
Joseph Tosi	Italy	In the Matter of Proceeding under the Mtge Guaranty Corporation's Rehabilitation Act affecting the Fidelity Union Title & Mtge Guaranty Company. Re Mtge Investment M-84682. Docket 99/590, Court of Chancery of New Jersey, Trenton, N. J.	1,959.20	I. Grant Scott, Clerk of the Court of Chancery of New Jersey, Chancery Chambers State House Annex, Trenton, N. J.	70.00

¹ Income from a Trust under a Declaration of Trust executed by Cortland Betts, now deceased, for the benefit of S. Keyser Thorne.

² Approximately \$14,500.00 consisting of cash and securities.

³ Income from Trust under Will of Weymer Jay Mills, deceased.

FEDERAL REGISTER, Tuesday, July 30, 1946

[Vesting Order 6926]

LUDWIG WOLFF

In re: Bank account owned by Ludwig Wolff. F-28-23904-E-1.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That Ludwig Wolff, whose last known address is Weichselhorst, Germany, is a resident of Germany and a national of a designated enemy country (Germany);

2. That the property described as follows: That certain debt or other obligation owing to Ludwig Wolff, by The First National Bank of Chicago, Chicago, Illinois, arising out of a savings account, Account Number 1,369,601, entitled Ludwig Wolff, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country;

And determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to constitute an admission by the Alien Property Custodian of the lawfulness of, or acquiescence in, or licensing of, any set-offs, charges or deductions, nor shall it be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have

the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on July 2, 1946.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 46-12640; Filed, July 26, 1946;
10:14 a. m.]

[Vesting Order 6928]

KAROLINE ZACHER

In re: Bank account owned by Karoline Zacher. F-28-12597-E-1.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That Karoline Zacher, whose last known address is Pleidesheim, Germany, is a resident of Germany and a national of a designated enemy country (Germany);

2. That the property described as follows: That certain debt or other obligation owing to Karoline Zacher, by American Trust Company, 464 California Street, San Francisco, California, arising out of a savings account, Account Number 1551, entitled Karoline Zacher, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country;

And determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to constitute an admission by the Alien Property Custodian of the lawfulness of, or acquiescence in, or licensing of, any set-offs, charges, or deductions, nor shall it be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any

claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on July 2, 1946.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 46-12641; Filed, July 26, 1946;
10:14 a. m.]

[Vesting Order 6929]

DEUTSCHE ZENTRALGENOSSSENSCHAFTSKASSE

In re: Bank account owned by Deutsche Zentralgenossenschaftskasse. F-28-4377-E-2.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That Deutsche Zentralgenossenschaftskasse, the last known address of which is Berlin C 2, Germany, is a corporation, partnership, association or other business organization, organized under the laws of Germany, and which has or, since the effective date of Executive Order No. 8389, as amended, has had its principal place of business in Germany and is a national of a designated enemy country (Germany);

2. That the property described as follows: That certain debt or other obligation owing to Deutsche Zentralgenossenschaftskasse, by The First National Bank of Boston, 67 Milk Street, Boston, Massachusetts, arising out of a checking account, entitled Deutsche Zentralgenossenschaftskasse, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country;

And determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest

est and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to constitute an admission by the Alien Property Custodian of the lawfulness of, or acquiescence in, or licensing of, any set-offs, charges or deductions, nor shall it be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on July 2, 1946.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 46-12642; Filed, July 26, 1946;
10:14 a. m.]

[Vesting Order 6933]
LADISLAUS MOLNAR

In re: Estate of Ladislaus Molnar, deceased. File 017-20407.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

That the property described as follows: All right, title, interest and claim of any kind or character whatsoever of Stephan Weiss, also known as Stephan Weisz, in, and to, and against the Estate of Ladislaus Molnar, deceased,

is property payable or deliverable to, or claimed by, a national of a designated enemy country, Hungary, namely,

National and Last Known Address

Stephan Weiss, also known as Stephan Weisz, Hungary.

That such property is in the process of administration by Gertrude M. Molnar, as Executrix, acting under the judicial supervision of the Surrogate's Court New York County, New York;

And determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Hungary);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on July 3, 1946.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 46-12643 Filed, July 26, 1946;
10:14 a. m.]

